

NEVERMORE



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BY

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'THE MINER'S RIGHT,' ETC.

IN THREE VOLUMES

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CHAPTER I

‘THEN, by Heaven! I’ll leave the country. I won’t stop here to be bullied for doing what scores of other fellows have done and nothing thought about it. It’s unjust, it’s intolerable—’

Thus spoke impetuous Youth.

‘I should say something would depend upon the family tradition of the “other fellows” to whom you refer. In ours gambling debts and shady transactions with turf-robbers happen to be forbidden luxuries.’

Thus spoke philosophic Age, calm, cynical, unsparing.

No power of divination was needed to decide that the speakers were father and son ;

no prophet to discover, on one side, sullen defiance following a course of reckless folly ; on the other, wounded family pride and long-nursed consuming wrath.

As the rebellious son stood up and faced his sire, it was curious to mark the similarity of the inherited lineaments brought out more clearly in his moments of rage and defiance.

Both men were strong and sinewy, dark in complexion, and bearing the ineffaceable impress of gentle nurture, leisure, and assured position. The younger man was the taller, and of a frame which, when fully developed, promised unusual strength and activity. More often than the converse, does it obtain that the son, in outward appearance or mental constitution, reproduces his mother's attributes or those of her male relatives ; the daughter, in complementary ratio, inheriting the paternal traits. But in this case Nature had strongly adhered to the old-established formula 'like father like son,' for whoso looked on Mervyn Trevanion, of Wychwood — the head of one

of the oldest families in Cornwall—could not doubt for one moment that Launcelot Trevanion was his son.

If all other features had been amissing or impaired, the eyes alone, which contributed the most striking and peculiar features in both faces, would have been sufficient to establish the relationship, not only because they were, in both faces, identical in colour and form, but because of the strange, almost unnatural lustre which glowed in them in that moment of excitement; neither large nor especially bright, they were scarcely remarkable under ordinary circumstances—of the darkest gray in colour and deeply-set under thick and overhanging eyebrows. A stranger might well overlook them, but, when turned suddenly in anger or surprise, a steady searching light commenced to glow in them which was discomposing, if not alarming. Even in a quick glance such as mere badinage might provoke, they were strange and weird of regard. Lighted up by the deeper passions, those

who had been in the position to witness their effect spoke of it as unearthly and, in a sense, appalling.

In the family portraits, which for centuries had adorned the walls of the long gallery in Wychwood, the same feature could be distinctly traced. There was a legend, indeed, of the 'wicked' squire—one of the hard-drinking, duelling, dicing, dare-devils of the second Charles' day—who had so terrified his young wife—a gentle girl whose wealth had been the fatal attraction in the alliance—that she had fallen down before him in a fit, and never afterwards recovered health or reason.

All through Cornwall and the neighbouring counties they were known as the 'Trevanion eyes.' There was a hint of demoniacal possession in the first ancestor, who had brought them into the family from abroad, and a legendary compact with the Enemy of mankind, from whom the fiendish glare had been derived. Since the birth of the first Mervyn, 'the wicked squire,' the eldest son had in-

herited the same peculiar regard as regularly as to him had come the estate and most enviable rent-roll.

A saying had long been current among the county people that when the lands went to a younger son, this remarkable and, as they held, unlucky feature would be removed from the family of Trevanion as suddenly as it had entered it. But up to this time, no break in the succession, *de male en male*, had ever occurred.

Launcelot Trevanion (mostly called Lance) was the eldest son of this ancient house. There were two younger boys—Arthur and Penrhyn—respectively fourteen and twelve years old; but a cousin, early orphaned, was the only girl in that silent and gloomy hall. Her beauty—she was the fairest flower of a race of which the women were proverbially lovely—irradiated Wychwood Hall, while her enforced gaiety charmed the saturnine Sir Mervyn out of many a fit of his habitual gloom. With the neighbours, the villagers, the friends of the

house, she enjoyed a popularity as universal as unaffected, and not unfrequently had the remark been made by individuals of all these sections of provincial society, that Estelle Chalonier had, in a measure, thrown herself away, as the phrase runs, by betrothing herself to her wild cousin Lance ; that she was too bright and bonnie a creature to become the mate of any Trevanion of Wychwood—hard, unyielding, and, in some sense, ill-fated as they had all been since the days of the first Sir Launcelot, no one knew how many centuries ago.

Certainly they had not been a fortunate or a prosperous family. Possessed originally of immense estates, and boasting an ancestry and military suzerainté—long anterior to the Conquest—undeniably brave, chivalrous, and daring to the point of desperation, they had uniformly espoused the wrong side in every important conflict. They had suffered from attainder, they had regained their lands only to lose them again. Bit by bit they had lost

one fair manor after another, until, at last, Wychwood Hall and manor, a fine but heavily-mortgaged estate, were all that remained out of the vast dominion which stretched, according to time-worn charters still in the muniment room of the Hall, from Tintagel to the Devonshire border.

Estelle Chaloner, in whose veins ran several strains of Trevanion blood, had a character curiously compounded of the qualities of both families ; outwardly resembling the Chaloners, who were a fair, blue-eyed race, more conspicuous for the grace and charm of social life than for the sterner traits, she possessed, unsuspectedly, a large infusion of the ancestral Trevanion nature.

In early youth those strongest tendencies and proclivities which come by inheritance are chiefly latent. Like the seedlings of a tropical forest they remain for years almost hidden by undergrowth. But when successive summers have stirred sap and rind, the deeply-rooted scions commence to assert themselves, tower-

ing over, and eventually, it may be, dwarfing the plants of earlier maturity.

Estelle and her cousin Lance had been playmates and friends since earliest infancy. There were but three years between them; like twins they had grown up with a curious similarity of thought and feeling, though of strongly contrasted temperaments. Then the divergent stage was reached when the girl begins to tread the path which leads to the goal of womanhood, when the boy essays the freedom of speech and act which mould the future man.

She was so gentle, he so haughty, yet were they alike in fearlessness, in love of dogs and horses, in passionate attachment to field-sports and the teachings of animated nature. Wanderers in the summer woods, fishing in the brook, climbing the old tower of the ruined church, what an Eden-like season of unstinted freedom was that of their early youth! It was a sorrowful day for both when Lance was sent to a public school and

Estelle was relegated to a prim, high-salaried governess who stigmatised nearly all out-door exercise as unladylike, and forbade field-sports as being destructive to the hope of mental progress.

But though separated for the greater part of the year, there were still the precious vacation intervals when the cousins met and wandered in untrammelled freedom. Thus they rode and rambled, drove the young horses in the mail-phaeton to Truro—the market town—fished and hunted, shot and ferreted, she walking with the guns, none caring to make them afraid.

It had chanced in the year preceding Lance's unlucky quarrel with his father that they told each other of the love which had grown up with their lives, and which was to make a portion of them for evermore.

And now this rupture between the stern father and the stubborn son threatened the wreck of her young life's happiness. She had repeatedly warned Lance of the imprudence of

his conduct, and laid before him the danger which he was too headstrong and reckless to forecast for himself; had long since reminded him that of all youthful follies and outbreaks, for some unexplained reason, his father was especially intolerant of those connected with the turf. The very mention of a racecourse seemed sufficient to arouse a paroxysm of rage. Why he was thus affected by the concomitants of a popular sport which country gentlemen, as a rule, regard in the light of a pardonable relaxation, was not known to any of his household. Sir Mervyn was not so strait-laced in other matters as to make it incumbent upon him to frown down horse-racing for the sake of consistency. Still the fact remained. Any hint of race-meetings by Lance was viewed with the utmost disfavour. No animal suspected of a turn of speed was ever permitted lodgings in the Wychwood stables, spacious as they were. And now the sudden bringing to light of Lance's serious loss of money by bets at a recent county

meeting, with moreover a proved part-ownership of the unsuccessful quadruped, had raised to white heat his sire's slow gathering, yet slower subsiding anger. Thus it came to pass that after one other stormy interview in which the elder man had heaped reproaches without stint upon the younger, the son had declared his resolution of 'quitting England, and taking his chance of a livelihood in some country where he would at least be free from the galling interference of an unreasonably severe father, who had never loved him, and who refused him the ordinary indulgence of his youth and station.'

'In the extremely improbable event of your quitting a comfortable home for a life of labour and privation,' the elder man said slowly and deliberately, 'I beg you distinctly to understand that I shall make you no allowance, nor even suffer your cousin to do so, should she be weak enough to wish it, and you sufficiently mean to accept it. Sink or

swim by your own efforts. *I shall never hold out a hand to save you.'*

Then the son gazed at the sire, looking him full and steadfastly in the face for some seconds before he answered. Had there been a painter to witness the strange and unnatural scene, he might have noted that the light which blazed in the old man's eyes shot forth at times an almost lurid gleam, as from a hidden fire, while the youth's regard was scarcely less fell in its intensity.

'It is possible, even probable,' he said, 'that we may never meet again on earth. You have been hard and cruel to me, but I am not wholly unmindful of our relationship. Careless and extravagant I may have been—neither worse nor better than hundreds of men of my age and breeding, and may well have angered you. I had resolved, partly persuaded by Estelle, to humble myself and ask your pardon. That state of mind has passed—passed for ever. I shall leave Wyckwood to-morrow, and if anything happens to

me in Australia, where I am going, remember this—if evil comes to me, on your head be it—with my last words, in my dying hour, I shall curse and renounce you, as I do now.’

As the boy spoke the last dreadful words, the older man, transported almost beyond himself, made as though he could have advanced and struck him. But with a strong effort he restrained himself.

The younger never relaxed the intensity of his gaze, but with a slow and measured movement approached the door, then halting for a moment said—‘Enjoy your triumph to the uttermost—think of me homeless and a wanderer—if it pleases you. But as repentant or forgiving, never—neither in this world nor the next.’

Before the last words were concluded, Sir Mervyn turned his face with studied indifference to the window, and gazed upon the park, over which the last rays of the autumnal sun cast a crimson radiance. For a few moments only the solar beams glowed above the horizon ;

the landscape with strange suddenness assumed a pale, even sombre tone. A faint chill wind rustled the leaves of the great lime-tree, which stood on the edge of the lawn, and caused a few of the leaves to fall. When the squire looked around, Launcelot Trevanion was gone. He turned again to the window; mechanically his eye ranged over the lovely landscape, the far-stretching champaign of the park—one of the largest in the county, the winding river, the blue hills, the distant sea.

‘What a madman the boy is,’ he groaned out, ‘to leave all this for a few hot words—and I too! Who is the wiser? I wonder. Will he be mad enough to keep his word? He is a stubborn colt—a true descendant of old Launcelot the wizard. If he fails to gather gold, as these fools expect, a voyage and a year’s experience of what poverty and a rough life mean will be no bad teaching.’

‘For what is anger but a wild beast?’ quotes the humorist. How many a man has, to his cost, been assured of this fact by

personal experience. A wild beast truly, which tears and rends those whom nature itself fashions to be cherished.

With most men, reason resumes her sway, after a temporary dethronement, when regret, even remorse, appears on the scene. The consequences of the violence of act or speech into which the choleric man may have been hurried, stalk solemnly across the mental stage. Were but recantation, atonement, possible, forgiveness would be gladly sued for. But in how many instances is it too late? The sin is sinned. The penalty must be paid. Pride, dumb and unbending, refuses to acknowledge wrong-doing, and thus hearts are rent, friends divided, lifelong misery and ruin ensured, oftentimes by the act of those who, in a different position, would have yielded up life itself in defence of the victim of an angry mood.

It was not long before the inhabitants of Truro, and, indeed, the country generally, were fully aware that there had been a

violent quarrel between Sir Mervyn and his eldest son.

‘The family temper again,’ said the village wiseacres, as they smoked their pipes at night at the ‘King Arthur,’ ‘the squire and the young master are a dashed sight too near alike to get on peaceably together. But they’ll make it up again, the quality makes up everything nowadays.’

‘Blamed if I know,’ answered Mark Hardred, the gamekeeper of Wychwood, who, though not a regular attendant at the ‘King Arthur,’ thought it good policy to put in an appearance there now and then, ‘there’s a many of ’em like our people, just as dogged and worse, I’m feared Mr. Lance won’t come back in a hurry, more’s the pity.’

‘He’s a free-handed young chap as ever I see,’ quoth the village rough-rider, ‘it’s a pity the old squire don’t take a bit slacker on the curb rein, as to the matter of a bet now and then, all youngsters as has any

spirit in 'em tries their luck on the turf. But he'll come back surely, sure-ly.'

'He said straight out to the squire as he'd be off to Australia, where the goldfields has broke out so 'nation rich, along o' the papers, and it's my opinion to Australia he'll go,' replied the keeper. 'I never knew him go back of his word. He's main obstinate.'

'I can't abear folks as is obstinate,' here interpolated the village wheelwright, a red-faced solemn personage of unmistakable Saxon solidity of face and figure. 'I feel most as if I could kill 'em. I'd a larruped it out of him if I'd been the vather of 'un, same as I do my Mat and Mark.'

This produced a general laugh, as the speaker was well known to be the most obstinate man in the parish, and his twin boys, Matthew and Mark, inheriting the paternal characteristic in perfection, in spite of their father's corrections, which were unremitting, were a true pair of wolf cubs,

taking their unmerciful punishment mutely and showing scant sigus of improvement.

‘I must be agoing,’ said the keeper, putting on his fur cap. ‘I feel that sorry for Mr. Lance that I’d make bold to speak to the squire myself if he was like other people. But it’d be as much as my place was worth. It’ll be poor Miss ’Stelle that the grief will fall on. Good-night all.’ And the sturdy, resolute keeper, whose office had succeeded from father to son for generations at Wychwood, tramped out into the night.

CHAPTER II

It looks at times, it must be confessed, as if, the individual once embarked upon a course involving the happiness of a lifetime, an unseen influence hurries on events as though the fabled Fates were weaving the web of doom. Hardly had Lance thrown himself upon a horse and galloped over to Truro, directing, in a hasty note left in his room, that his personal effects should be forwarded to an address, than the first paper he took up contained an announcement which fitted exactly with his humour. It ran as follows—

‘Steam to Australia.—For Melbourne and the Goldfields. The clipper ship, *Red Jacket*, three thousand tons register, Forbes, Com-

mander, will have quick dispatch. Apply to Messrs. Gibbs, Bright, and Co.'

The die was cast. He saw himself speeding over the ocean on his way to the wild and wondrous land of gold, absolutely uncontrolled henceforth and free as air to follow his inclinations. There was intoxication in the very thought. For years to come he would not be subject to the trammels of civilisation. The trackless wilds, the rude, even savage society of a new, half-discovered country had no terrors for him. The wilder elements in the blood of the Trevanions seemed to have precipitated themselves in the person of this their descendant; to have rendered imperative a departure in some direction, no matter what, from the conventional region with its galling limitations and absurd edicts. Such are the problems of heredity. Despite of some natural regret that so serious a quarrel with his father, and the head of the family, should have been the proximate cause of his exile, the

mere anticipation of a wholly free and unfettered life in a new land filled him with joy. Then arose visions such as course through the brain of ardent, inexperienced youth; of wondrous wealth acquired by lucky speculation or the discovery of a cavern filled with gold, after the manner of the *Arabian Nights*. With what feelings of triumph would he *then* return to his native land, having in all respects given the lie to the predictions of his foes and calumniators, receiving with complacent pride the congratulations of his father, in that hour softened and converted by the reputation of his distinguished son. His name, once spoken with bated breath, now a by-word for success, would be in all men's mouths.

‘Then! yes! then, darling Estelle!’ had he said to his cousin in their last conversation, when she had vainly tried to shake his determination to leave England—‘then I shall pay off the mortgage on the old estate; not that it matters much for one generation,

I suppose, but I should like to be able to give a cheque for it to old Centall. Then I would buy the St. Austel lands, which will be pretty sure to be in the market by that time. Every one knows the estate is eaten up with interest as it is, and at the rate the Tredegars are living there must be an end in a few years. After that it will be about time to look out for a wife. Now whom would you like to recommend? Why, how grave you look!’

‘Dreams and visions, Lance. Vain hopes, false and unreal,’ said the girl. ‘I see no prospect of success, much less of fairy-tale treasures. Think of all the adventurers who have left this very Duchy of Cornwall in old days or later. How few have ever returned!—fewer still who were not poorer than they left! It seems to me madness that you should go at all.’

‘You are no true Englishwoman, Estelle, if you have not a spice of adventure in you,’ he replied. ‘Lovers and kinsfolk have always

been sped on the path of glory before now. How else would the Indies have been gained or the new world discovered, if all hearts had been as faint as yours ?'

'It is not that,' said the girl sadly, and laying her head wearily upon his broad breast, as she threw her arms around his neck. 'It is not that ! I could send you away, almost rejoicing, in a good cause, were it to fight the Queen's battles, for the glory of our native land. But my heart sinks within me when I think of your going away with a father's curse upon your head, with a deep quarrel about a light matter on your mind, and for object and pursuit, only to seek for gold among an ignoble crowd of rude adventurers.'

'Gold !' said the young man, laughing lightly ; 'and what else is every one striving for in these latter days ? Gold means perfect independence. The realisation of dreams of fairyland—the respect of the herd—the friendship of the powerful—the love of

the lovely ! Why decry gold, cousin mine ? But, except for the adventure—the wild freedom—the strangeness and danger of a new world, few care so little for it as Lance Trevanion. And that you well know.’

‘I know, my darling ; I know. If it be so, why not stay at home ? My uncle, I am sure, is sorry for having been so hasty. He will be glad of any chance to tell you so. A few years and your position as heir and eldest son must be acknowledged. Why leave these proved and settled privileges, and tempt dangers of sea, and storm, and an unknown land ?’

‘Too late ! it is too late !’ he said gloomily. ‘I am a changed man. I can neither forget nor forgive his insults, my father though he be ; and I feel as if I was irresistibly driven to take the voyage—to see this new country—to share in this great gold adventure. I could not draw back now.’

‘And I feel, day by day, more strongly and vividly,’ said the girl, ‘that it will be

your doom to go forth from us and return no more. It seems like a prophetic instinct in me. I feel it in every fibre of my being. But I will come to you, if you do not come to us. Whatever may happen, I will never rest satisfied till I have seen you in your new home. So, if you do not return in five years, you know what you have to expect. But you will return, will you not?' And again she clasped her arms around him, sobbing as if her heart would break.

Estelle Chaloner was a proud girl, one of those reserved yet passionate natures which habitually conceal their deeper feelings, as if jealous of exhibiting the sacred recesses of their hearts to the careless or irreverent. Ice on the surface, they resemble those regions which in springtime need but the touch of that great enchanter's wand to cause the living streams to flow, to produce the magically sudden apparition of verdure and fragrant flowerets.

'Darling Estelle! in five years I will come

back,' he said, 'if I am alive. The time will soon pass. Think how much I shall have to talk about, and what wonders I shall have seen. You will hardly know me again.'

The girl sighed deeply, then raised her head, and gazing steadfastly at her lover, as the tears streamed unheededly adown her face, continued her pleading appeal without noticing his jesting speech—

'You will promise me then, will you not, solemnly and faithfully, you will swear by King Arthur's sword—our family vow—that on next Christmas five years, whatever betide, you will return?'

'Well,' he answered, slowly and heedfully, 'if nothing less will do, I suppose I shall have done something in that time or failed utterly and hopelessly. So I will promise. It wants nearly three months to Christmas, and if I do not turn up in December 1857, you may make sure that I am either dead or a captive among the Indians. I suppose there are Indians there. "By Arthur's sword!"' and

here he crossed his hands, after the old Cornish fashion.

‘I don’t believe there are Indians,’ she said. ‘If you would read a little more, you naughty boy, you would know. Of course, there are savages of some sort, the worst being white. But we must exchange tokens, like lovers—and we are true lovers, are we not?’ Here she seemed as if her tears would flow afresh, but controlled herself with a strong effort. Then she loosened a slender gold chain from her neck, to which was attached a coin of foreign appearance, traced with strange characters, and having upon it a wondrous woman’s face, beauteous, but of an antique cast.

‘Here,’ she said, ‘is my precious Egyptian princess. The man who gave it to me said it was possessed of talismanic virtues, that it secured safety and success to the wearer as long as he never permitted it to be taken from him by force or fraud. If he did, the charm was broken. You are the only

person in the whole world to whom I would give it.'

'I thought you were too wise,' he said, taking the chain in his hand gently, nevertheless, 'to confess such superstition. But I will take it if it cheers you, darling Estelle, and here I swear that it shall be my companion night and day until we meet again. Here is a companion token, you have often asked for it before.'

'You are not going to give me the Chalonier ring, are you, Lance? How happy it would have made me one little month ago,' she cried. 'I must have it altered to fit my finger, I suppose? It can be altered back when you return.'

'It is yours from this moment, and for ever,' said he. 'May it bring you the good fortune it has failed to give me, so far. On a woman's hand the charm may be broken. It has my mother's name inside, and, see,' here he touched a spring, disclosing a tiny recess under the principal stone, which was

a diamond of great value, 'take your scissors and cut off a lock of my hair, and here is a place to put it. I may be gray when we meet again. Isn't it a queer ring?'

It was indeed an uncommon jewel. It had been his mother's, and by her had been inherited from the uncle who had first made his own and the family's fortunes by a long residence in India. He had received it from a Rajah in those old days when jewels and gifts passed freely between the servants of the Great East India Company and the native princes. A large ruby and an emerald of equal size flanked the centre jewel. The setting was peculiar, massive, but artfully disguised by the exquisite delicacy of the workmanship. The great beauty and value of the jewel would have made it noticeable and prized in any society in which the wearer might have moved.

'You have comforted me,' she said, smiling through her tears, and again taking his head in her hands and pressing her lips again and

again to his brow and face. 'I feel now as if I had some guarantee that I should look on your dear face again. And mind, if you do not return in five years and three months I shall come to Australia to search for you.'

Thus they parted. He to face the new world of the strange and the unfamiliar—light of heart and ready of hand, as is the wont of untried youth; she to mourn his absence in secret, and to brood over her sorrow, as is ever the part of the steadfast heart of loving woman. The separation from his cousin Estelle was his sole cause of regret on leaving England. Yet that transient grief soon passed away amidst the turmoil and excitement of which he found himself a part in his capacity of six-hundredth-and-odd passenger on board the crowded ocean-going clipper. A strange enough experience to the home-bred youth, who, save on yachting cruises, had never dared the deep. Heterogeneous and strangely assorted was the crowd of the passengers—adventurers of every grade,

feverishly anxious to reach the land of gold, chiefly inexperienced, but all sanguine of acquiring the facile fortunes which they had persuaded themselves the new world of the South had in store for them. Young men were there — mere boys, like himself — for whom the trials of toil, danger, and privation were all to come. Hitherto unrealised abstractions.

Others, again, whose grizzled beards showed them as men who had fronted foes in the battle of life, and were ready for another campaign. Many had never left England, and, in despite of occasional boasting, were heavy-hearted at the thought of the homes which they had left and might never see more. Nor was the emigration entirely masculine—

‘There was woman’s fearless eye
Lit by her deep love’s truth,
There was manhood’s brow serenely high—
And the fiery heart of youth.’

A half-expressed hope that the company in the second cabin would be less conventional

and more amusing than in the first, joined to the necessity for economising his slender funds, had decided Lance Trevanion upon shipping as a second-class passenger. Certain to be compelled to lead a rough life upon his arrival in Australia, surely, he argued, the sooner he commenced to learn the way to do so the better. Nor would his association with refined women and well-bred men in the first cabin aid him in his search for gold—necessarily with rough, half-brigand comrades. Thus, partly as the outcome of the defiant spirit in which he was leaving home and native land, he booked himself as a second-class passenger.

Doubtless, in the curiously mingled crowd of passengers who thronged the first saloon of the *Red Jacket* in that fateful year of 1851, there were many remarkable persons, whose lives had included a far greater number of strange adventures than most modern novels. But for a wild and fanciful commingling of all sorts and conditions of men—from every

clime, of every grade, degree, and shade of character, the second-class passengers bore off the palm. Since the untimely collapse of the architects of the Tower of Babel, there could seldom have been so diverse and bizarre a collection of humanity.

The *Red Jacket*, under the stern rule of Malcolm Forbes, from whose fiat there was no appeal, the most daring and successful maker of quick passages that the records of the Company knew, had steamed off at the hour appointed. Started when far from ready, however, if the masses of deck lumber which needed storage were to be taken into account. The weather, bad from the commencement, became worse in the Bay of Biscay, where raged a perfect hurricane—a storm, or rather a succession of storms, under the fierce breath of which the *Red Jacket* lay-to for forty-eight hours at a stretch, afflicting the inexperienced voyagers with the strongly impressed notion that their voyage would not be quite so long as they expected. But the good ship held

her own gallantly ; finally ploughed her way through the mountainous billows of the Bay of Storms into lower latitudes. Milder airs and smoother seas cheered the depressed and pallid passengers. An increasing number walked the deck or sat in seats provided for them day by day. Cheerful conversation, merriment, and even such games as the conditions of 'board-ship' life permit were indulged in from time to time. Then Lance Trevanion had leisure to look around and examine his fellow-passengers. He would have been difficult to satisfy who could not among his compulsory comrades have selected one or more congenial acquaintance. In that year the *Red Jacket* was 'the great Club of the unsuccessful': authors and dramatists, University graduates, lawyers, and physicians, clergymen and artists, soldiers and sailors, tinkers and tailors, ploughboy, apothecary, thief—to quote the nursery classic. All were there.

Men of good family, like himself, chiefly

younger sons, however, who had quitted Britain in order to enlarge the proverbial slenderness of a cadet's purse—

‘One was a peer of ancient blood,
In name and fame undone—
And one could speak in ancient Greek,
And one was a bishop's son.’

The *soigné* ex-guardsmen, for whom the last Derby had been the knell of fate, *he* was there, plainly dressed and unpretentious of manner, yet bearing the unmistakable stamp of the class whom King Fashion delighted to honour. The middle-aged club loungee, who thought the new game of Golden Hazard, at which the stakes were reported to be so heavy and the players so inexperienced, worth a voyage and a deal or two—he was there. The farmer's son, who had hunted too much; the farm labourer, who was a bit of a poacher; the gamekeeper, who had kept an eye on him; the shopman, whose soft hands had never done a day's hard work; the groom, the coachman, the gardener, each and every one

of the members of the staff of rural and city life—were there. With some exceptions, they were chiefly young, and now, as the fear and discomfort of the early part of the voyage wore off, the natural characters of the individuals commenced to exhibit themselves.

It was pathetic to see the trustful confidence with which delicately-nurtured women, following their improvident or heedless mates, clung to the idea that, once safely landed in the wondrous land of gold, all would be well. They had left in the old land all that had made the solace of their lives, their tenderest memories and inherited affection. After unutterable wretchedness and discomfort, they were now voyaging towards a land the characteristics of which were practically as unknown to them as those of the interior of Africa, and yet, ‘O woman, great is thy faith!’ these victims of ironic fate were cheerful, even gay. As they looked in the eyes of their husbands or the faces of their children and saw them happy and sanguine, they dreaded

no cloud in the tropic sky, neither storm nor disaster, poverty nor danger, to come in the far south land.

With many young men on board, and others who, though no longer young, were not disinclined for games of chance, it was only to be expected that a little card-playing should go on. Lance was naturally fond of all games of hazard—had, indeed, born and bred in him—derived from whatever ancestor—the true gambler's passion. He had enjoyed no great opportunity of developing it as yet. All games of chance had been strictly interdicted at Wychwood. Now that he had come into a freer atmosphere—into another world, socially considered—he felt a newly-arisen desire for play, so strong and unconquerable that it astonished himself. He had, of course, £200 or £300 with him, not intending to land in Australia quite penniless. This was more than many of his shipmates could boast of possessing, and he passed among them, in consequence, as quite a capitalist in

his way. Though he played regularly, almost daily in fact, he was more than moderately successful. The evil genius of chance, who lures men to their destruction by ensuring their success in their early hazards, was not absent on this occasion. Lance won repeatedly, so much so that his good fortune began to be as much a matter of general observation as his apparent easiness as regarded money.

It may be imagined that Trevanion's circle of acquaintances became enlarged. Inexperienced youngsters like himself mingled every day, when the weather permitted, with men who had played for high stakes in good London clubs. Success, of course, varied. Many of the callow gamblers lost all they had, and had, perforce, to look forward to landing in Melbourne without a penny in the world.

Among those who were proverbially unsuccessful was a young man, who, from that and other reasons, commenced to attract an unusual share of attention from the other

passengers. He and Lance Trevanion were decidedly unsympathetic. They were always pitted against one another in play. They appeared to be rivals in all things. More than once they had been on the verge of a quarrel, which the bystanders had prevented from being fought out. What was perhaps really curious was the fact, which all were quick to remark, that the two men resembled each other in personal appearance to a most uncommon degree. Lawrence Trevenna, for such was his name, was probably a year older, but otherwise had much the same figure, features, and complexion. The eyes, too, strange to say, were of the same shape and colour; and, as the two men faced each other in the quarrel before mentioned, more than one looker-on remarked the curious peculiarity—the strange unearthly glitter, the lurid light, which shone forth in the hour of wrath and defiance. No one had noticed it before in either face. ‘They were as much alike,’ said the second mate, who

was standing by, somewhat disappointed that the fight did not come off, 'as if they were brothers. There couldn't have been a closer match.'

As it turned out, they had never seen one another before,—in fact, came from different parts of England. The other man, when looked at closely, was decidedly coarser in feature and less refined in type. His conversation, too, disclosed the fact that his early education had been indifferent. Handsome and stalwart as he was, under no circumstances could he be considered to rank as a gentleman. That his temper was violent was put beyond a doubt by the savage outbreak which led to the quarrel. It was not certain that he would have got the best of it in a hand-to-hand encounter, but his expression on reluctantly retiring was of unequivocal malevolence, as was indeed exhibited by his parting speech.

'I'll meet with you another day,' he said. 'Australia is not such a big place, after all.'

You may not have so many backers next time.'

'It's perfectly indifferent to me,' answered Trevanion, 'when or how we meet. I dare say my hands will save my head there, as they can do here. People shouldn't play for money who can't keep their tempers when they lose.'

The passengers of the *Red Jacket* had in a general way too much to think about to bother their heads about the accidental likeness existing between two young fellows in the second class, still the story leaked out. It was said 'that one of them was an eldest son and heir to an old historic name and a fine estate. The other was a very fine young man, but evidently a nobody, inasmuch as he dropped his aitches and so on. *But* they were so wonderfully alike that you could hardly tell them apart. It would be worth while to get up amateur theatricals and play the *Corsican Brothers*. Effect tremendous, you know! Queerest thing of

all, too, they'd never met before and didn't like each other now they had met.'

'Strange things, doubles,' said Captain Westerfield, late of H.M. 80th Regiment. 'Not so very uncommon though. Most men in society have one. My fellow turned up at Baden, most extraordinary resemblance, wasn't an Englishman either. Raffish party too, spy and conspirator persuasion, that sort of thing. Did me good service once, though. Story too long to tell now.'

'Oh, Captain Westerfield, *do* tell it to us,' said the fascinating Mrs. Grey, as they walked back to the first-class region, after inspecting the two Dromios.

'Some day, perhaps,' murmured the Captain.

The *Red Jacket* held on her way with unslackened speed. Night and day, fair weather and foul, with winds ahead or astern, it was all the same to Captain Forbes. Never was an inch of canvas taken in before the 'sticks' began to give token of ill-usage.

‘What she couldn’t carry she might drag,’ was his usual reply to remonstrating passengers. And he had his accustomed luck. In the murkiest midnight, or when fogs made the best lights invisible a ship’s length in advance, the *Red Jacket* ran into no homeward-speeding bark. Nor did any other reckless-driving vessel, with a captain vowed to make the passage of the season, encounter him. The long, low coast-line of Australia and the Otway light were sighted at as nearly as possible the hour when they were expected to be visible, and through the Rip and up the vast land-locked haven of Port Phillip Bay went the Racer of the Ocean one afternoon, fully two days in advance of the shortest passage which had ever been known in those days between the old old world and that new one which so long lay unknown and unpeopled beneath the Southern Cross.

CHAPTER III

So this was Melbourne ! At least the nearest that the *Red Jacket* could get to it, on account of certain natural obstacles. But it lay only seven miles off, that is by the river, of which they could trace the windings through high walls of the thick-growing, but slender ti-tree (melaleuca). Anchored now in a broad bay, a low sandy shore on the eastern side, on the west a green level promontory, with a few huts and cottages sprinkled over it, falling back to far-stretching plains, with a volcanic peak in the foreground and a mountain range in the hazy distance.

Without much delay comes a roomy lighter alongside the *Red Jacket*, in which the passengers mostly elect to embark.

Their luggage, an avalanche of bags, bundles, trunks, and boxes, is shot on deck. A puffing, vicious-looking tug, with the air of 'a guinea a minute for my time,' drags them off, through the shoals of the Yarra, and so bustles forward till that grand and wonderful structure, the Melbourne wharf, a rudely planked platform fringing an illimitable ocean of black mud into which the river flat, guiltless of macadam, has been churned. Here their goods and chattels are unceremoniously transferred to the unsheltered wharf. It had been raining. The passengers, surrounded by draymen, hotel and lodging-house keepers, look blankly at each other. A few of the women begin to cry. Thus for them, as for all the *Red Jacket's* passengers, save the favoured few of the saloon, the hard schooling of colonial experience commences. If quarrels arise and animosities are generated on board ship, so also do friendships, true and permanent, spring up. Trevanion had made acquaint-

ance with a young couple from the border of his own county. The man was a sturdy fellow, half miner, half farm-labourer, whom the hope of bettering his condition had tempted to the desperate step, as it appeared to all his neighbours, of emigration. His wife was a fresh-coloured, innocent, country villager, their one child, an engaging little button of three years old, one of the pets of the ship. The two men had arranged to go up to the diggings together, and Trevanion decided that in some respects he could not have a better mate. 'Gweny here can cook and wash for us, and if we get a share of the gold and Tottie doesn't fall into one of their deep holes as they tell us about, we shall do main likely, Mr. Trevanion.' So it was settled, Mrs. Polwarth was a little nervous about travelling through the 'bush' and living at a 'digging,' but where her man went, she, as an Englishwoman and wife, was bound to go too. "For better, for worse," pa'son he says, and I reckon, lad,

I'll stick to thee as long as we've bread to eat or a shed to cover us.' Such was her simple creed.

'It strikes me,' said Trevanion, after the first few minutes of blank astonishment, in which the country-bred couple, and even he himself gazed around at the strange crowd and unfamiliar surroundings, 'that we'd better hail one of these drays and get our luggage taken up to a lodging-house, till we can look around. The weather is rather cold to my fancy for camping out, though it is Australia. We mustn't get laid up with chills, and fever, and ague, as that American warned us, to start with. So Jack, you take care of the boxes and the family—I'll soon manage a conveyance.'

After a short but spirited engagement with a drayman, who seemed an educated person, to Lance's astonishment, he compounded for a payment of two guineas, for which moderate sum the owner of this expensive equipage—worth a hundred and fifty pounds at ruling

prices—covenanted to land them all in safety at a decent lodging-house.

‘You are in luck,’ said the drayman, as they were walking back to the wharf, ‘to find a place to put your head in to-night, I can tell you. Lots of your fellow-passengers will have to camp out under any shelter they can extemporise. But I happen to hear the people I am taking you to say they had one bedroom and a small attic to let, the occupants having started for Ballarat this morning.’

‘And how is it you are not there with all the rest of the world, if it’s as rich as they say it is?’

‘They can’t exaggerate the richness of it. I know so much of my own knowledge, but I happened to buy this old nag and the dray, which brings me in about a thousand a year at present. I’m not an avaricious man, so I’m waiting on here till I feel in the humour to tackle digging in earnest.’

By this time the wharf was reached, and the dray being loaded with their boxes and

bundles, Mrs. Polwarth placed comfortably in the centre, the men walked beside the driver. Two long and very broad streets were traversed before they arrived at a neat weather-board cottage with dormer windows and an upper floor. The proprietor, a bronzed colonist, received them cheerfully, and immediately set to work to take in their luggage.

‘Mother,’ he said to a cheery, brisk little woman who now came up to the garden gate, ‘you take in this young lady and little gal, and make ’em comfortable. Mr. Waters says as they’ve just come out in the *Red Jacket*. They’ll be all the readier for their tea, I’ll be bound. We’ll see to all the boxes and things.’

‘Mr. Waters, you’ll just have time to do up the old horse afore the tea-bell rings. I wouldn’t let them beef-steaks get cold, if I was you.’

As they sat smoking over a snug fire in the kitchen, after a well-cooked and sufficing meal, Lance and his ‘mate’ came fully to the

conclusion that they *had* been in luck in falling across their friend the drayman, and being guided to such good quarters. Here they were comfortably lodged at a reasonable charge, and, moreover, had the advice of two experienced and well-disposed men as to their future plans and prospects.

‘Yes. After stopping a week in Melbourne, I should certainly make tracks for Ballarat, if I were in your place,’ said Mr. Waters the drayman. ‘You’ve come all this way to dig. Jack has a wife and a child to work for, and the sooner you set about it the better.’

‘But what is the best way to get there?’ asked Lance. ‘The road is bad, and it’s a long way there. We can’t carry our boxes. It’s too expensive to go by coach. I don’t see my way.’

‘What Mr. Waters says is God’s truth,’ chimed in their host. ‘You can’t do nothing but spend money, and waste your time here, unless you was in a way of business, which ain’t likely. Your only dart is to buy a

staunch horse with a tip-cart, and put a tent atop of your luggage. Take tea, and sugar, and flour with you, a little bacon and so on. Then you camp every night. It costs you little or nothing, and you're as jolly as sand boys.'

'And how about finding the road, Mister?' asked Jack, looking rather anxious. 'It's many a long mile, and mostly through the woods, as I'm warned. We might lose our way.'

'A blind man could find the road night or day,' said Waters, with a laugh. 'It's a mile wide, and there's a string of carts and drays, men, women, and children, going along it, like a travelling fair. Night and day you can hear the bells on the horses and bullocks a couple of miles off.'

'Won't the turn-out cost heaps of money?' asked Lance, thinking of the price of Mr. Waters's horse and dray.

'Not above seventy or eighty pounds altogether, and you can sell them for the same or

more money when you get to the diggings. We'll try and find you a decent turn-out with a canvas tilt to keep the rain off Mrs. Polwarth and Tottie. My friend Burnett knows half the miners that come here from Ballarat, and they often have a cheap lot, horse and cart, and a good many useful things given in, which they are in a hurry to sell before they leave for England.'

'That will suit us down to the ground, eh, Jack, and then—this day week—hey for Ballarat and a golden hole.'

For the next week Trevanion devoted himself to exploring Melbourne, and seeing as much as he could of the strange world to which he had voyaged on the other side of the globe. It was—to his British and comparatively untravelled idea—a state of society utterly foreign and at variance with all his preconceived ideas.

In the first place there were no poor people, no beggars, no evidence anywhere to be seen that anybody lacked money, food, clothes, or

amusement. It was distinctly Utopian in the evidences of material prosperity, which everywhere abounded. The diggings both at Ballarat and Bendigo (as Sandhurst was then called) had been sufficiently long established to have furnished a class of lucky diggers who dominated the urban population, and gave a tone of universal opulence to the community.

With all this, though men were plentiful who had made their ten or twenty thousand pounds each in a few weeks, there was but little disorder, and no lawlessness observable. A good-natured extravagance, a defiant recklessness of expenditure were the leading characteristics of the mining aristocracy.

It was true that their wives sported expensive silk dresses, gold chains, and diamond earrings; that they entertained one another as agreeable chance acquaintances regale at the Criterion—a hostelry built in the most expensive period of skilled labour, every brick used in which was reported to have cost half-a-crown. The theatres and concert-halls

were crowded every night with a fairly appreciative and orderly audience. The theatrical and musical talent was exceptionally good at that time. For the news of the abounding gold of Ballarat travelled far and fast, and, where the auriferous lure is waved, have ever been wont to gather the mimes and the sweet singers of the world's best quality.

It was literally, and in many respects a revival of the golden age, a truly Arcadian time. A truce seemed to have been proclaimed to the world's sad-faced task-workers, to the slavery of desk and plough and loom. Save the exciting labour of the mine—when, perhaps, each stroke of the pick brought down stone heavy with the precious metal, or dislodged ingots and gold dust—work was there none. So, at last, a strong, light box-cart, with a staunch and active draught horse, having been purchased at a reasonable price,—their new-found friend arranged that part of the business,—a start was made one fine morning for Ballarat—the El Dorado of

the South. All their worldly goods were packed safely and snugly. There was a canvas tilt, under which Mrs. Polwarth and Tottie would be sheltered from sun and storm, and could sleep at night. There was a small tent in which the men could dispose themselves. The bay horse, led by Jack, stepped off cheerfully and briskly, and then, with the blessings, metaphorically speaking, of their landlord and Mr. Waters, the little expedition set forth. The latter gentleman accompanied them for a short distance, until fairly past the outskirts of the town, and on the broad highway marked by a thousand wheels which led to Ballarat. He volunteered a modicum of advice, limited in quantity, but valuable.

‘There’s plenty of gold there, never fear, and new finds every day. You may go home with a fortune next year, and in the *Red Jacket* too, if she keeps lucky and don’t get run down. You and that “Cousin Jack” are both workers, I can see it in all your ways. Stick together, you can trust each other, and

don't make more friends than you can help. You'll find men by the score there that would cut your throat for a ten-pound note, and chuck Mrs. Polwarth and Tottie down a shaft for the same price. Keep a good look-out at night. Don't drink or play cards with strangers. If you fall across a streak of luck, follow it up to the end, but don't keep gold in your tent. If you don't hit it just at first, persevere all the same. It's bound to come. And now I'll say good-bye, and good fortune to you. Look up Burnett when you come back; if I'm not with him, he'll know my address.'

So their friend—a good and true one in every sense—shook hands with Jack and his wife, kissed Tottie, with whom he left a large parcel of sugar-plums, and departed. It was strange that he and the boarding-house keeper should have taken such a fancy to the party; but such was the fact, and in new countries and wild places outside the pale of ordinary society, sudden and chance-made

friendships spring up and blossom into full fruition much more frequently than people in old countries would believe. They had nothing to gain from these emigrants. They only accepted the bare amount due for services rendered. They prevented them from being over-reached in the purchase of that vitally necessary equipment in gold-field days—the horse and cart. They saw, too, that unlike the hero in that exciting Anglo-Colonial romance ‘It’s Never too late to Mend,’ they were put in possession of a horse that *would pull down hill* as well as up. In fact they acted with simple good faith, generosity, and gratuitous courtesy, all through.

This was not the conduct to be expected from perfect strangers in a ‘lawless community’ like Melbourne, *vide* the fiction of the day. But it happened to be true nevertheless.

CHAPTER IV

It is unnecessary to accompany the little party along the somewhat tedious and decidedly muddy road which led the adventurers of the day to the spot 'where the root of all evil grew wild up the country.' O dear old friend, who used to quote this, and make merry over Governor Tarbox, where art thou now? They saw the Royal Mail dash by, drawn by six horses in an American coach, the leather-brace springs of which, and the plank road, were a constant wonder to Jack and Mrs. Polwarth. Now trotted along a dozen well-mounted police troopers, their boots and steel scabbards shining in the sun, conveying 50,000 ounces of gold in a four-horse drag. Anon, a drove of

staring, long-horned fat cattle, engineered by a dog of high educational attainments, a black boy, and a couple of bearded, wild-looking stock-riders. Then, again, the bullock team of the period—fourteen bullocks drawing a laden canvas-covered waggon, with a tall Australian driver, the whip of him at times raising hair, at times volleying like musketry—was another unequivocal surprise. A flock of 2000 fat sheep, a drove of unbroken horses, a train of a dozen pack-mules, all these were fascinating novelties and wild surprises to the newly-arrived Britishers.

A few days, however, sufficed to inure the little party to the toils and difficulties of the journey, such as they were, and to teach them to make light of them. The road—as before stated—nearly a mile wide in places, and marked in black mud on the green turf, was visible to the naked eye night or day. Mrs. Polwarth learned to fry chops and steaks and make cakes as if she had been to the manner born, while the men pitched their tents and

made their nightly camp as if they had done nothing else all their lives. Tottie, even, used to run about and pick great bunches of yellow flowers, which were so like buttercups, together with daisies and fringed violets, and was the merriest of the party.

‘This is going gipsying with a vengeance,’ said Lance one day. ‘I never expected to find myself driving a cart and hobbling out an old horse, like a tinker on a common; but as it’s the regular thing to do, and as this Tom Tidler’s ground can’t be so very far off now, I suppose one mustn’t grumble.’

‘It’s main cheap travelling,’ Jack would reply to these occasional repinings. ‘It don’t cost much, that’s one thing, and the weather seems like taking up, so the little one can play about same as if she was at home.’

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Ballarat—at length! The far-famed!—the wonder-town!—the capital of the kingdom of gold! A confused array of huts, tents, weather-board houses, and stores huddled to-

gether, as if rained down from the sky, on the side of a hill partly covered with the iron-stemmed, sombre Eucalyptus. A brook, with yellow waters hurrying down between green and grassy banks. Crowds of silent, pre-occupied looking men anxiously engaged in what, to the new-comers, seemed mysterious mining operations. Some were standing mid-leg deep in the creek, protected by thigh boots, rocking curious wooden cases, which looked like children's cradles, and which they afterwards found were called by that name. Policemen and mounted troopers went to and fro among them, or issued from an encampment higher on the hill—which was evidently the headquarters of the executive department. Mud-stained, bearded, and roughly dressed were the greater part of the population ; Lance thought he had never seen so many ruffianly looking fellows before. A marsh, filled with waving reeds, lay on a plateau a short distance to the westward of the field. The green banks looked pleasant to the eye, shaded, as

they were, by wide-spreading trees—thicker of foliage than the others.

‘If you think well, sir, we might just as well pitch our camp here,’ said Jack. ‘It’s away from the crowd like, and I’ll manage to make it snug and home-like in a week or two. We can leave the Missis here while you and I look out for a claim, as they call it.’

So they made their temporary home by the side of Lake Wendouree, as it came afterwards to be called, little dreaming that the day would come when the marsh would be dammed and deepened, when steamers would ply upon its surface, and boat races and regattas take place thereon, with a thousand school-children holding high festival on its banks.

However, these developments were in the future. Nothing was to be seen now but the waving reeds, the green grass, and a great black log lying on the ground, by the side of which they pitched the tent, as being a species of shelter and handy for purposes of cookery. Then the men wandered through the diggings,

talking to the miners, as opportunity offered, and trying to learn something about the recognised method of making a commencement to dig gold.

Chance favoured them the day after they arrived, by the occurrence of a dramatic incident, instructive in its way, as it turned out.

They were walking along the side of the creek, looking at a curiously-silent toiling crowd of 20,000 men, who, working in very small and shallow claims, 16 feet square, on the celebrated 'Jewellers' Point,' were turning up gold in handfuls, panfuls, and, in some instances, nearly bucketfuls.

Suddenly every man raised his head and shouted 'Joe.' Jack and Lance thought the whole crowd had gone mad, as they hastened to join in the chorus. They noticed, however, a dozen or more individuals leave their work and depart unobtrusively. A moment after, a man came running desperately down a gully which led to the creek, hotly pursued by two troopers. He wormed his way among the

holes, where the horsemen could not well follow him, and seemed in a fair way of escaping, when he ran nearly into the arms of a constable on foot, whom, coming from another direction, he had not seen. This official, a wily and active person, promptly secured him. He was then handcuffed and led off to the camp, where, to the great astonishment of the Englishmen, who followed to see the end of the affair, he was chained to a log by the leg; evidently a desperate criminal, they decided.

Lance interrogated one of the troopers who remained by the prisoner. 'I suppose he's a hardened offender. Is it for murder or robbery? or only horse-stealing?'

The trooper laughed. 'Well, he ain't what you might call a desprit bad 'un, though he's broke the law. He's been diggin' without a license.'

'What's that?'

'Well, you'll soon find out, young man. If you don't get one, you'll get tethered like this chap here. It's a permit to dig gold, and

you have to pay thirty bob a month to the Crown. You didn't think you were going to be let dig up a fortune on Crown land for nothing, did you ?'

'Oh, I understand. Well, where can we get one ?'

'D'y'e see that big outside tent at the camp? Well, that's the Mining Registrar's. He'll give you one apiece, if you've got the cash, and then you can dig gold by the hundred-weight, if so be as you can find it.'

'All right. Can I have a word with the prisoner ?'

'Oh yes ; while I'm here.'

Lance went up to the manacled one and accosted him. 'What's your name, my man ?'

'I'm not "my man," or your man or any one else's. Though I'm not a free man, certainly, if it comes to that. Isn't it an infernal shame that a free-born Englishman should be chained up like a dog because he hasn't thirty shillings in his pocket ?'

'It doesn't seem right,' said Lance. 'The

money's not much, but, of course, a man may be out of luck and not have it. The reason I asked you your name was that I was just going to the Registrar to get a couple of licenses for my mate and myself, and I could get you one at the same time.'

'Didn't I tell you I had no money?' said the man, rather savagely.

'What does it matter about such a trifle? Of course, I will pay for you, and you can give it to me when convenient.'

'Thanks, very much,' said the stranger, with a softened voice and an accent which spoke of different surroundings. 'My name is Hastings. Edward Charles are my Christian names. You must make allowance for my being out of temper. This sort of thing is enough to gall any man, and there will be trouble out of it yet.'

'Now,' said Lance to the trooper, 'if I get a license, as you call it, for our friend here, will you let him go?'

'By rights,' said the trooper, who had a

good-natured face, 'he ought to be brought up to-morrow before the Commissioner for not producing his license when called upon so to do by any authorised person. But they're all away, and I can square it—say he had got one that day, or something.'

'That will do,' said Lance, with a smile, as he handed the man a half-sovereign. 'I'll soon have his paper and my own. I can't leave a man—a gentleman, too—like this. That's the tent, isn't it?'

'He's a gentleman, that chap,' said the trooper to himself. 'Any one can see that; just out from home, too. But he's too soft. His money won't last long if he goes and pays up for every chap here that hasn't got a license.'

As it turned out, it was money well invested.

Trevanion went to the tent, where he found a busy gentleman sitting before a table covered with notes and gold and silver, official papers and books, etc., all in rather a state of con-

fusion. He cut short his explanation by asking 'What names?' in a gruff voice.

These being supplied, he filled up three forms printed on parchment, which he cut out of a long narrow book like a cheque book, and, holding them in his hand, said, 'Four pounds ten you have to pay.'

Lance handed over five sovereigns and received ten shillings change. He then glanced at the licenses, consecutively numbered and dated, which gave permission to John Polwarth, Launcelot Trevanion, and Edward Charles Hastings 'to dig and search for gold upon Her Majesty's Crown lands in the colony of Victoria for the space of *one month* from date.' These documents had been signed in blank—'EVELYN P. S. STURT, Commissioner.'

CHAPTER V

THE trooper came back to the log with the two 'new chums,' as he, a native-born Australian, would have called them, and turned his back while Trevanion handed Hastings his digging license. He then faced round. 'You've been arrested according to law for digging in Growlers' Gully without a license. Do you now produce one?' Hastings handed him the parchment slip before referred to. 'You hand me this license all correct and regular. I now discharge you from custody, and,' continued the trooper, evidently thinking he ought to say something magisterial and impressive, 'I hope it will be a warning to you.' He then unlocked the padlock, which was passed through a chain which

held the handcuff which was round the man's ankle, and released him.

Hastings laughed as he stood up and stretched himself. 'I expected a few strange experiences when I started to dig gold in this extraordinary country, but I never thought to be chained up to a log by the leg. However, it's all in the day's work. You've only done your duty, Doolan, and indeed you've stretched it a bit in letting me off. I'll perhaps be able to do you a good turn some day. Good-bye.'

'Now Mr. ——,— I really don't know your name,—Trevanion, thanks, I see you and your friend are just off the ship and therefore not up to the wicked ways of digging life. I may say now that I hold myself deeply indebted to you. In requital, if you'll come to Growlers' Gully, where I'm hanging out, I can lay you on to a "show," as we miners call it, that may turn out something good.'

'We know nothing as yet,' said Lance.

‘We’re quite raw and inexperienced, therefore shall be very glad to go to Growlers’ Gully or any other place, if there’s a chance of setting to work in good earnest.’

‘The best thing you can do, then,’ said his new friend, ‘is to walk out there and stay in our tent to-night. To-morrow you can get back and show your party the way. It’s no good staying where you are.’

‘Done with you,’ said Lance. ‘Jack, you can go back and tell your wife,’ and away they went. After walking three or four miles, a kind of open ravine, which in Australia is called a gully, presented itself. The tents were thinner and the miners not quite so busy. ‘That’s our tent,’ said Hastings, ‘and there’s my mate sitting on a log outside, smoking and wondering what’s become of me. Hulloo! Bob, did you think I was lost or in chockee? This is Mr. Trevanion; he’s stood my friend or else I should have spent the night on the chain, so we must lay him on to a show, if there’s one in the gully.’

‘It’s a nice way to treat a Christian, chaining of him up like a dorg, ain’t it, sir?’ said the miner slowly. ‘It’ll raise trouble some day, I’ll go bail. Proud to see you, sir. There’s plenty of tea in the billy, it’ll soon warm up. Luckily I baked last night and there’s a goodish lump of corned silver-side of beef. You’ll be ready for dinner, both on ye, I reckon.’

‘This child is,’ said Hastings, and ‘Mr. Trevanion has had a goodish walk, which ought to sharpen his appetite. That’s right, Bob.’

As he spoke, his companion, who, if slow of speech, was evidently a man of action, placed some tin plates on a small table in the tent, knives and forks, with a large loaf, half a round of cold corned beef, and a bottle of pickles. This done, he poured out two pint pannikins of tea, and sitting a little way off outside, filled his pipe and lit it afresh.

‘Mind them Irishmen that took up number six claim above Jackson’s?’ inquired he.

‘Think I do,’ mumbled Hastings, whose mouth, like some people’s hearts, was too full for utterance. ‘Think I do; what about them?’

‘What about ‘em!’ returned Bob. ‘Why, they’ve jacked up and cut it. Said they wanted summut more certain. A dashed good show, I call it.’

‘There’s a chance for you, Trevanion,’ said Hastings. ‘Go and peg it out the moment you’ve finished this humble meal. You’ve got twenty-four hours to be at work in it. But the sooner you make a start the better. I shouldn’t like to see you lose it. Bob will go with you.’

Lance made very good time over the corned beef, which he couldn’t be induced to leave for a while. But he and Bob made a formal pegging out half an hour afterwards, thus taking legal possession of two men’s ground.

The very next morning saw the party duly installed. Mrs. Polwarth and Tottie had

arrived, the tent was pitched, a fireplace made, the windlass fitted with a new rope, and Lance and Jack working away as if they had been mining all their lives.

For nearly a fortnight the two men toiled and delved, one winding up and the other picking and shovelling away at the various strata which intervened between them and the precious ore they hoped to discover.

‘We shan’t get no gold here, I don’t believe,’ quoth Jack, mournfully, one day. ‘I’ve heard of a grand diggings only fifty miles off. I’m warned they’re a-pickin’ of it up in handfuls.’

‘It wants ten days to the end of the month,’ replied Lance. ‘I like to stick to things when I’ve begun. Suppose we make up our minds to keep at it till then. It isn’t fair to Hastings to run away without a good trial.’

‘All right, Mr. Lance, we’ll give it till the thirty-first. If we don’t hit it then, I’m off to Forest Creek for good. Until then we’ll see who can work the hardest.’

As far as manual labour was concerned there had now come to be perfect equality between the man of birth and the son of toil. Stalwart and symmetrical always, the frame of Lance Trevanion had now acquired from daily labour and simple food the muscle and elasticity of an athlete in full training. Hour after hour could he swing the pick and lift the shovel weighted with clay and gravel, or wind up the heavy raw hide bucket, fully loaded, without the slightest sense of fatigue, with hardly a quickening of the breath. The healthful, yet abundant, food always procurable at a prosperous digging, amply sufficed for all their needs; the sound and dreamless sleep restored strength and tissue, and sent them forth ready, even eager for the morning's toil.

As Lance walked among the tents, or strolled up the busy lighted street on Saturday night, resplendent in clean flannels or a half-worn shooting-jacket of fashionable cut, many an admirer of form, even in that *lanista* of

magnificent athletes, the flower of the adventurous manhood of many a clime, stopped to make favourable comment on the handsome young Englishman who had come to the gully with 'Callao' Hastings.

Just one day before the last one of the month, when the partners were already inquiring the distance of the first stage to Forest Creek, Lance broke into a stratum of decomposed rock mingled with quartz gravel. This was from a foot to eighteen inches in depth, and extended across the shaft. They did not know—ignorant as they were of the humblest mining lore—what had happened till they consulted their guide, philosopher, and friend, Hastings.

'Why, you've bottomed,' he made answer, with a look of profound wisdom, 'I'll go down and have a look at the "wash."'

They lowered him down. Ten minutes after he sent up the bucket, half-full; then, after the rope was lowered, came up himself. 'Get a tin dish and carry it down to the

creek till I wash the "prospect,"' quoth he.

He filled the dish with the 'wash-dirt,' as he called it, dipped it again and again in the yellow waters of the creek, sending out the clay-stained water with a circular twist of his wrist, in a way incomprehensible to Lance and Jack. Lastly, when bit by bit all the clay and gravel had disappeared, leaving but a narrow ring of black and gray sand around the bottom of the dish, he spoke again—

'Look there,' he said meaningly.

They looked, and saw dull red and yellow streaks on the upper edge of close-lying grains, with an occasional pea-like pebble of the same colour.

'Is that—is that——?' asked Lance in a husky voice.

'Gold!' shouted Hastings, 'yes, that's what it is. I call it an ounce to the dish, with eighteen inches of wash-dirt for the whole width of the claim; your fortune's

made. It's a golden hole, nothing less, and one of the richest on the field.'

So it was. . . . Day after day the partners cradled the precious gravel; day after day they returned to their tent with a tin pannikin or camp kettle containing enough of the precious metal to cause the most pleasurable excitement in the owners, and to occasion exaggerated reports of their wealth and the inexhaustible richness of the claim to pervade the field.

'You'll have to look out now,' said Hastings, impressively, one day. 'You've got a most dangerous and unenviable reputation. You've supposed to have gold untold in your tent. Do you know what that means here?'

'But we take our gold to the Commissioner every day,' said Lance, 'and we see it sealed up and labelled and put in a safe before we leave.'

'That's all very well, and the most sensible thing you could do, but nothing will persuade

some of those fellows, with which the gully is getting too full to please me, that you don't keep gold or cash in your tent.'

'Well, what of that?'

'What of that among some of the greatest scoundrels unhung? Fellows that for a ten-pound note would chop Mrs. Polwarth up for sausages and fry Tottie with bread sauce, after knocking both of you on the head? You don't know what a real bad digging crowd is, and when you do it may be too late.'

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Now the reign of Plutus had set in, as far as Lance and his companion were concerned. A few short weeks and how had their prospects changed. What was now their position?—shovelling in gold at the rate of five hundred pounds a week per man. It seemed like a dream, a fairy tale to Lance. A year or so at most of this kind of work and he would be able to return to England in the triumphant position of a man who had seen

the world, who had been, as the phrase runs, the architect of his own fortune, who had boldly accepted the alternative rather than own himself in the wrong, and who now had carried out what he had vowed to do in spite of the incredulity of disapproving friends.

And his cousin, his beloved Estelle, what would be her feelings? He wrote to her at once, telling her to abandon all doubt and fear on his account. Where were her prophecies now? He should always bless the day on which he sailed for Australia. He might even go the length of thanking his father for his stern reproof, his unjust severities. After all it had been for the best. It had made a man of him. Instead of lounging about at home, or idling on the continent (for he would never have taken his degree if he had stayed at Oxford till he was gray), he had seen what a new country was like, met numbers of the most interesting people, learned how to carry himself among all sorts

of queer characters, learned to work with his hands and to show himself a man among men. To crown all, he was making eight or ten thousand a year. With a little judicious speculation he was very likely to double or quadruple this. And in three years from the day he left she would see him back again, he had almost said dead or alive. What talks they would have over his adventures and wonderful, really wonderful, experience! loving each other as of old and rejoicing in one another's society. The life agreed with him splendidly. He was in famous condition, and except that he was sunburned and a little browner, there was no change to speak of. She would be able to judge if he had altered for the worse in manner or lost form. Perhaps he had roughened a little by associating with all sorts and conditions of men, but it would soon come back again when once more he found himself among his own people and near his heart's darling, Estelle.

Thus far the welcome letter—how welcome

those alone can tell who have longed for tidings from a far country, who have waited with the heart-sickness of hope long deferred, and have at length snatched at the precious missive that told of safety and success, even of the approaching return.

Estelle Chaloner treasured this missive from a far country, read it and re-read it day after day : she watched the features change and the colour fade from her uncle's face as he listened to the exulting cry with which she announced a letter from Lance, watched the stern face soften and heard the first words of regret which had passed his lips since the day of wrath and despair.

‘I was hard upon the boy, perhaps,—it’s this accursed family temper, I suppose,’ he said. ‘Where is the lad that isn’t a fool in some way or other ! We are a stubborn breed, and once heated slow to cool. Tell him when you write that he will be welcome again at Wychwood. Not to stay away too long, though, whatever his good fortune may be,

for I am not the man I was, Estelle, and I should like to see my boy's face again, before —before I die.'

Here the hard voice changed, the stern man turned his head. Could this be Sir Mervyn? thought Estelle. In all her previous knowledge of him she had never known him to express regret for any act, speech, or opinion whatever, however placed in the wrong by after-consequences. That he should be really regretful and repentant struck her in the light of a species of miracle. More than that, it imbued her with a vague fear, as if there was some impending ill when such an abnormal change took place in the social atmosphere.

'Do not grieve, my dearest uncle,' said she, winding her arms around him, with a look of beseeching tenderness. 'I know, from the way Lance has written to me, that he has long since ceased to harbour resentment. He knows that he was in the wrong, though he, and I too, must I confess it, at the time,

thought that you were too hard upon him. Depend upon it we shall see him in a year, if not less, and all will be forgotten in the joy of his return, in the triumph of his success.'

'God grant it,' said the old man, 'but I have evil dreams. I believe the devil enters into a Trevanion at times. Perhaps Lance may break the spell. If he has an angel for his wife like my darling Estelle, it will be all the more likely.'

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Trevanion and party, of Number Six, Growlers' Gully, were 'fair on it'—'had struck it rich, and no mistake,' in miners' parlance. Fame and fortune were both theirs, assured, unchallenged; the fame, as in too many cases in this world, considerably in advance of the fortune. His partner, Polwarth, a shrewd, long-headed 'Cousin Jack' (as the Cornish miners are called), stuck steadily to his work, stayed at home with his wife and child, and beyond building a

comfortable weatherboard-fronted bark cottage for them, made no difference in his equilibrium.

But it was otherwise with Lance Trevanion. His striking appearance, his manner and bearing, his reputation for wealth, coupled with romantic tales of his family circumstances, commenced to make him a personage of consideration, as well as to cause his society to be sought after in the higher social strata in and around Ballarat. Even at the Gully, now that it had developed a true and defined 'lead'—the auriferous course of a dead and buried river of the past—a couple of branch banks had been established, shops and hotels had sprung up.

All created organisms, during certain periods of their existence, are capable of development. The conditions being varied, plants and animals, including that strangely-constituted vertebrate, man, suddenly or by graduation, but not less surely, expand and change, or decrease and degenerate, as the

case may be. Physical expansion does not invariably presume moral advancement, and, indeed, the removal of restrictive pecuniary conditions occasionally conduces to the reverse result. Alas! that the delightful freedom from restraints which our civilisation renders galling, which is often described by the phrase 'money being no object,' should, in itself, be oftentimes that broad road leading to irrevocable ruin, to destruction of body and soul.

When a man arises from sound and untroubled slumber at or about five 'A.M. in the morning,' *vide* Mr. Chuckster, and within an hour is commencing a long day's work, which process is continued week in, week out, with the exception of Sundays, there is not much room or opportunity for the Enemy of man, who proverbially finds work for the 'unemployed.'

These, and chiefly for such reasons, were the dangers of 'Growlers' Gully' during the early period of their existence—an eminently

peaceful and virtuous community. Hard at work from morn till dewy eve, that is from daylight to dark, a matter of fourteen hours, there was scant space or opportunity for riotous living. A quiet talk over their pipes before the so-early bedtime, a glass of beer or grog at the unpretending shanty, which, before the era of hotel licenses, was compulsorily modest and unobtrusive, was the outside dissipation indulged in by the 'Growlers.' There was sufficient prosperity to produce hope and contentment, but not enough, except in rarely exceptional cases, to bring forth the evil craving for luxury and excitement. There was no theatre, no gaming saloon (under the rose, of course), no inrush of fiends, male and female, as upon a diggings of published richness; and therein lay safety, had they known it, such as should have made every man thankful, and every woman deeply grateful to the Higher Power that had so ordered their destiny and surroundings.

So might, perchance, have continued their Arcadian freedom from evil had not the exceptional richness of Number Six been known and bruited abroad. But, somehow, principally through Lance's carelessness, it had leaked out, been spread far and wide, been wildly exaggerated, and now, every day new arrivals from the most unlikely places in other colonies testified to the brilliant reputation which 'Growlers' had acquired. Greatness, indeed, had been thrust upon them. There was no escaping the celebrity, wholly undesired by the more thoughtful and forecasting miners. But the majority of the adventurers of the day were young and inexperienced. Intoxicated with their suddenly-acquired wealth, they were splendidly reckless as to the morrow. They ever welcomed the irruption of the heterogeneous army of strangers which invaded their hitherto rather close borough. They treated their rash migration, made upon the flimsiest reports, as a humorous incident wholly appropriate

to goldfield life. As for the risks to which such an admixture might fairly be held to expose the safety and solvency of the community, they were contemptuously indifferent.

CHAPTER VI

AMONG the new arrivals who came in numbers to swell the gathering crowd, whose huts and tents were now scattered for miles around the original gully, which, owing to the chronic discontent of the prospectors, had given its name to the locality, were some people from a distant part of the neighbouring colony of New South Wales. They constituted a large family party, comprising brothers, cousins, the mother of the young men, their sister, and a friend or two. Their tents were pitched in an open flat at no great distance from claim Number Six, and without any special overture on either side, a casual acquaintance commenced which bade fair to ripen into friendship. The migrating party were all native-born Australians.

Gold-lured, they had travelled in one encampment from their homesteads on the upper waters of the Eumeralla, a tributary of the Snowy River. In that mountainous region, thinly settled with scattered families, tending their herds of wild cattle and wilder horses, had these stalwart men and fearless girls been born and reared. The men were fine athletic fellows, free and cordial in their manners, apparently liberal and obliging in such small matters as came into notice. Apart from his natural curiosity, too, as to the characteristics of this company of 'Sydney natives,' as they were generally called—people of pure British race and descent, who had never seen Britain—Lance was attracted by their riding feats as well as by the high quality of the unusually large number of horses which belonged to the party. That they were consummate horsemen, he, a fair judge and performer in the hunting field, at once perceived. Their ways of managing the animals, catching, handling and saddling them, were all new to him. He

came to walk over to their tent in the evening, to talk over the gold news of the 'day,' to hear their stories of adventure by flood and field, to him novel and interesting, and by no means unattractively rendered. Besides all this, there was another appendage to the Lawless family—one which, since the ancientest days, has sufficed to attract the ardent susceptible male of whatever age and character with steady resistless force. There was a woman in the case, and a fairly prepossessing damsel she was. The sister of the young men, Kate Lawless, was indeed a very handsome girl. Bush-bred and reared as she was, uneducated and wholly unacquainted with many of the habitudes of civilisation, she comprised much of the perilous fascination of her sex. Tall and slight, but with a rounded symmetrical figure, there was an ease and unstudied grace in all her attitudes, which an artist would have recognised as true to the training of nature. Like her brothers, more at home in the saddle than in a chair, she

compelled admiration when mounted on her favourite horse, a gray of grand action ; she swept through the forest paths or amid the awkward traps and obstacles of a goldfield with such perfection of seat and hand as can only be obtained by that practice which commences with earliest childhood. Her complexion was delicate, indeed, unusually fair, save where an envious freckle showed that the summer sun had been all too rashly defied, her soft brown hair was unusually abundant, while her bright dark gray eyes had a glitter at times, in moments of mirth or excitement, which denoted, either for good or ill, a character of no ordinary firmness.

Lance Trevanion had been out of the way of female fascinations for a considerable period. The o'ermastering strength of his feelings after the quarrel with his father ; the fierce, persistent determination with which he had followed up the fortune which he had vowed to gain in Australia, had for the time being dispossessed the minor frailties. But,

now that wealth had begun to pour in with a flowing tide, now that leisure had succeeded ceaseless toil (for he had felt justified in putting on a 'wages man'), now that flattery, spoken or implied, commenced to indicate him as Trevanion of Number Six, 'a golden-hole man,' and the half-owner of one of the richest claims on the field, the ordinary results of more than sufficing money and time commenced to exhibit themselves.

'I don't know that I like that Lawless crowd overmuch,' said Hastings to him one day. 'I'd be a little careful, if I were you.'

'Why, what's wrong with them?' answered Lance, rather hotly. 'They're fine, manly fellows, and pretty good all round. They can ride and shoot—they're very good with their hands—and I never saw smarter men to work. Quite different from what I expected Sydney natives to be.'

'And their sister's a very pretty girl—eh! Come, don't be offended, I'm only advising you for your good. But I met an old friend,

who was a squatter in their district, and he says they are a bad lot—gamblers and horse-thieves—more than suspected of worse things, indeed.’

‘Well, of course, your friend may be a little prejudiced,’ answered Trevanion, trying his best to repress his rising irritability. ‘They may have fallen out. What’s the difference between squatters and drovers? That’s what they are. They told me——’

‘What’s the difference between country gentlemen and poachers?’ replied Hastings. ‘You haven’t been long enough in the country to know the ins and outs of things. But, take my word for it, the sooner you drop your native friends the better.’

‘Really, my dear fellow,’ answered Lance, putting on a lofty and superior air, which his friend had never before observed, while the strange glitter in his eyes became more intense with every word, ‘you must permit me to manage my own affairs and choose my own friends. I have not been so long in the

country as yourself, but I am not quite devoid of common sense, and have seen a little life before I came here. The Lawlesses are pleasant, manly fellows—quite as good as most of the men we meet out here; and Miss Kate is a friend of mine of whom I shall allow no one to speak disrespectfully.'

Hastings was an exceptionally cool man, or he would doubtless have requested his interlocutor, shortly, to go to the devil his own way, and, thereafter, have washed his hands of him. But he owed a debt of gratitude for his first generous service which he was too sincere and genuine to forget.

'You must take your own way, I suppose,' he said good-humouredly. 'We won't quarrel, if I can help it. But I hope you won't have reason to regret not taking my advice. Have you heard who the new Police Magistrate is?'

'His name is Mac, something or other; comes from Tasmania, and knows every escaped convict in the colonies by sight, they say.'

‘Oh, Launceston Mac! Is that the P.M. who is to reign over us? No doubt he’s a good man, but a little too fond of appearing to know everybody, and awfully severe. He’s too quick in his decision, for my taste. I feel like the sergeant in *Rob Roy*, who considers that, “Were it the Bailie’s own case, he would be in no such dashed hurry.”’

‘Oh, well, there are plenty of rascals here and to spare. He may try his hand on them, and welcome.’

‘There’s a new Sergeant of Police, too,’ he continued. ‘Can’t remember his name; something like Barrell or Farrell. They say he’s a “regular terror,” as Joe Lawless expressed it.’

‘Frank Dayrell! Is *he* come?’ asked Hastings, with a change of tone. ‘I used to know him in a wild district out back, before the gold. There was great joy when he left Wanaaring.’

‘Why, what was the matter with him? I heard he was a very smart, active officer.’

‘All that,’ said Hastings, ‘but more be-

sides—much more. Sergeant Francis Dayrell bore the name of being one of the most unscrupulous, remorseless men that ever touched a revolver. When he has duty to do, he's all right. But, above everything, he must have a conviction. If he can manage that, with his prisoner, well and good. If not—*caveat captivus*.'

'Whatever he is,' answered Lance, 'it won't matter much to us. We can afford to pay for "Miner's Rights" now,' he added laughingly, 'and there's nothing else likely to bring us within the talons of the law.'

'I wouldn't make too sure of *that*,' his companion returned half musingly, and with a strangely altered expression. 'Dayrell is a most extraordinary man.'

That there was, in the early days of the great Australian gold irruption, a large proportion of remarkable and exceptional characters on all the goldfields, few who have the faintest recollection of that socially volcanic period will be found to deny. It could hardly have

been otherwise. Adventurers of every sort and condition, of all ages and both sexes, from every clime and country, had there congregated at these wondrous auriferous centres. The first year's manual labour, which all essayed as the recognised form of ticket in the lottery, saw many of the unused toilers disgusted or discouraged. Meanwhile, a demand arose for competent persons to fill appointments the emoluments attached to which were calculated on war prices. The public and private service were both undermanned. Hence, every day well-born and well-educated mining amateurs relinquished the pick and shovel to become gentlemen, so to speak, once more. The more fortunate became Goldfield Commissioners, Police Magistrates, Customs Officers, Clerks, Agents, Storekeepers, Inspectors of Police, Auctioneers, and what not. The salaries were large; the profits extraordinary—in many cases far exceeding the gains of the ordinary miner. The rank and file of the unsuccessful applicants, fully equal, if not, in

some cases, superior to the fortunate competitors, contented themselves with becoming police - troopers, store clerks and assistants, coach-drivers, billiard-markers, or barmen. In all these conventionally humble situations they were, if sober and shrewd, enabled to save money and lay the foundation of future opulence. The police force—more particularly the mounted division—was popular with the more aristocratic waifs. It afforded a reasonable degree of leisure, a spice of danger, and the privilege of posing in *quasi* military array, besides riding a well-appointed charger and wearing a showy uniform. Among the privates and, so to speak, non-commissioned officers of the force were to be found, therefore, a large proportion of what, in a regular army, would have been called soldiers of fortune. They were occasionally impatient of discipline, wild and reckless in their habits, given to occasional brawling, drinking, and dicing, much as were the Royalist soldiery in the days of the first Charles. But, like them, they were brave to

recklessness, cool and daring amid fierce and lawless crowds, and of all that strangely gathered band the wildest and most untamed spirit, yet the coolest, the most *rusé*, deadliest sleuth-hound, by general acclaim and common report, was Sergeant Francis Dayrell.

Tall and slight, with fair hair and beard, and a false air of almost effeminate softness in his blue eyes, he was wonderfully active and curiously muscular as compared with his outward appearance. That he had received the education of a gentleman all could perceive. Of his family nothing was known. Ever reticent about his own concerns, he was not a man to be interrogated. An admirable man-at-arms — promoted, indeed, in consequence of some exceptional deed of power, the taking, indeed, of a desperate malefactor single-handed; he was an unsparing martinet to those below him, merely respectful to his superiors in rank, and habitually hard and merciless to the criminals with whom he had to deal. With the exception of occasional

boon companions, with whom, at intervals, he drank deeply, and, it was alleged, gambled for high stakes, he made no friends and had no intimates. Solitary, if not unsocial, he was generally feared if not disliked, and the mixed population of the goldfield, many of whom, doubtless, were conscious of 'sins unwhipt of justice,' united in giving the sergeant a very wide berth indeed. Such was the man who had suddenly been transferred to the police district which included Growlers' Gully and its vicinity.

Among his friends, the Lawlesses, Lance was not long in perceiving that the sergeant's advent was not regarded as a wholly unimportant circumstance. He rather wondered to hear the tone of mingled dislike and bitterness with which the affair was discussed.

'Not that *they*,' Ned Lawless, the eldest of the brothers, and, in a sense, the leader of the party, laughingly remarked, 'had any call to be afraid, but there were friends of theirs, quiet, steady-going farmers and drovers, upon

whom this cove, Dayrell, had been tremendously hard — treated them dashed unfairly indeed. So that if, by chance, his horse came home some day without him, he, for one, would not be surprised, nor would he be inclined to go into mourning for him.'

'If he only does his duty, though,' Lance could not help answering, '*that* ought not to make Dayrell unpopular.'

'There's ways and ways of doing things,' returned Ned. 'I quarrel with no man for doing his duty—that he's paid for. But this man's a —— dog, and I'd shoot him like a crow if he came messing round me, and think nothing of it either.'

Trevanion couldn't quite understand the savage tone with which these words were uttered; he thought that something had occurred to put Ned out, as he was habitually a good-tempered fellow. When he went to Kate for an explanation, he found himself no nearer to a solution.

'I hate the sight of him,' she said, 'with

his soft voice and sneering ways. I believe he'd hang us all if he could. He nearly "run in" a young man we knew on the other side, and him as innocent about the duffing as the babe unborn. He'll get a rough turn yet, if he doesn't look sharp, and serve him right, too.'

'But *you* have no cause to mind his coming here, Kate,' he said in a bantering tone. 'You've never stolen a horse, or "stuck up" anybody— isn't that the expression?— (except me, you know). I wonder you girls don't admire a handsome man like Dayrell.'

'I wouldn't mind laying him out for his coffin,' said the girl vengefully. 'I might admire his features then. But,' and here her face assumed, for a few seconds, an expression which caused her companion to gasp in amazement, 'his turn may come yet, and if Frank Dayrell dies in his bed he's a luckier man than some of us think he'll be. By Jove!' she exclaimed suddenly, 'if that isn't him, and almost close enough to hear me. He's the devil himself, I do believe.'

By a curious coincidence the unconscious object of this discussion had emerged from a by-track, and, suddenly reining up, rode slowly past the pair. Whatever his moral qualities, he was utterly *point device* as a man-at-arms. His tall erect figure and *manège* horsemanship were well displayed on the handsome roan thoroughbred which he rode as a charger. High boots, very carefully polished, with bit, stirrup-irons, and sabre-scabbard glittering in the sun, showed the military completeness of his equipment. At his sword-belt hung a serviceable navy revolver, while from toe to chin-strap no smallest detail was omitted.

As his eye fell on Lance and the girl, he nodded and laughingly raised his helmet.

‘Well, Miss Lawless—we mustn’t say Kate now, I expect—have you had a ride after moonlighters lately? I expect Mr. Trevanion doesn’t know what the meaning of the word is. However, you and Ned will soon enlarge his limited colonial experience.’

As the trooper rode slowly past them, his well-bred high-conditioned horse arching his neck and champing the bit which had stopped him so suddenly, the girl turned pale in spite of her angry look, and lowered her defiant eyes. Without speaking more or altering his careless seat and steady regard, he sauntered slowly on, with one foot dangling sideways in the stirrup. For an instant his eyes met those of Trevanion, who, irritated by the whole bearing of the man and a certain ill-concealed air of authority, said, 'I daresay you'll know me again. May I ask what reason you have for favouring Miss Lawless and me with your particular attention?'

The sergeant's features slightly relaxed, though his eyes maintained the same cold, penetrating inscrutable expression which had so annoyed Lance, as he replied—

'Kate Lawless and I are old acquaintances, perhaps I can hardly say friends. As for you, we may possibly be better acquainted in future. But if you take my advice—that of a well-

wisher, little as you may suppose it—you'll stick to your claim, and be careful in your choice of associates.'

Before the angry reply, which was rising to his lips, could find utterance, the sergeant struck his charger lightly across the neck with his glove and cantered off, raising his helmet in a half-mocking salute to Kate Lawless.

'Insolent scoundrel,' said Lance, 'if he dares to address me again I'll knock him off his horse. If I was in my own country I'd show him the difference in our positions. But in this confounded country things are turned upside down with a vengeance. But what did he mean by saying you and he were old acquaintances?'

'He be hanged,' said the girl, whose colour and courage had apparently returned. 'We never were nearer friends than to pass the time of day. But he was stationed once on Monaro, where we all lived, and, of course, he came to the place now and then.'

I think he was a bit sweet upon Tessie, but she couldn't stand him and so he dropped coming to Mountain Creek. He's not worth minding, any road. We'd better finish our walk and get home for tea, I'm thinking.'

It was the early summer. The winter had been cold and wet. The Ballarat climate is by no means of that exceptional mildness which the Briton innocently believes to characterise the whole of Australia, making no allowance for widely diverging degrees of elevation and latitude. It had been severe beyond the usual average, wild and tempestuous. But now, all suddenly the delicious warmth of the first summer months made itself felt. Day after day witnessed the riotous growth of pasture and herbage, the blooming of flowerets before the joyous sorcery of a southern spring. Their path lay through the primeval woodland, bordered by an emerald carpet studded with flower-jewels and redolent with balsamic forest odours. As the shadows lengthened and the

birds' notes sounded clear and sweet through the evening stillness, the girl's voice, as she told of wild rides and solitary experiences in their mountain home, had a strangely soft and caressing tone.

CHAPTER VII

FOLLOWING closely upon this little episode, a fresh discovery in Number Six demonstrated to Lance Trevanion that whatever else was raw, unfurnished, and disagreeable in Australia, the colony of Victoria generally, and Growlers' Gully, in the district of Ballarat, particularly, were the easiest places to make fortunes in, out of a book of fairy tales. Each week the yield of the claim grew richer, the balance at the bank to the credit of Trevanion and party became larger. So imposing was it that Lance seriously thought of selling his share in the claim to his mate, even if he lost a thousand or two by it. Jack Polwarth was a good fellow, and what, indeed, did a little money matter

any more than an odd handful of precious stones to Sinbad in the valley of diamonds? He would be at home with his friends in, say, half a year. That is if he returned by India, took a look at the Himalayas, saw Calcutta and Madras; or why not *viâ* Honolulu, getting by heart the new world, including the Garden of Eden as exhibited in the isles of the southern main, before reappearing triumphant in the old. What would his father say now? Where would be his cousin Estelle's misgivings, that unswerving friend and lady-love whose letters had been as constant as her heart? What a heavenly change would it be once more to the ineffable beauty and refinement of English society after the rude environment of a goldfield, the primitive civilisation of an Australian colony, but so few years emerged from the primeval wilderness.

It was with a sort of sob or gasp that he realised the dream-picture on which he allowed his thoughts, a rare indulgence, to dwell.

And after all why should he not carry out his purpose? Why indeed? Strong and unbending in matters of need and pressure, a certain indolence, an occasional tendency to irresolution, formed a portion of his character which often delayed prompt action and permitted opportunity to pass by. The loitering life he lived at present, a central figure, so to speak, amid admiring associates and envious adventurers, was pleasant enough in its way. Then the old old temptation! It would give him, yes, undoubtedly it would, a certain amount of pain and uneasiness to break off finally with Kate Lawless.

Tameless in spirit as she was, reckless of speech and fierce of mood when her ungovernable temper was aroused, Kate Lawless could be wonderfully soft and alluring, like all such women, when the tender fit took her. There was then a child-like simplicity and abandon which caused her to seem, and, indeed, temporarily *to be*, a different woman. She resembled one of those rare psychological studies—which

are indeed scientifically authenticated—who lead a dual existence. For no two individuals could be more unlike than Kate Lawless in one of her ‘tantrums’ (as her brothers familiarly expressed it) and the same woman when the paroxysm was over, imploring forgiveness and lavishing caresses on the object of her causeless resentment. That there are such feminine enigmas no student of humanity will deny. But with all her powers of fascination, she was so uncertain in her mood that she caused Lance Trevanion the most serious doubts whether she reciprocated the affection which he had been repeatedly on the point of avowing for her. Sometimes she was especially friendly, full of fun and vivacity, taking long rides through the wild forest tracks with him, on which occasions she would astonish him by the way in which she would ride at stiff timber or gallop adown the rock-strewn ranges, breast high with fern, daring him to follow her, and shouting to imaginary cattle. At these times her whole aim and endeavour appeared to be

to attract and subjugate him. At other times she was cold and repellent to such a degree that he felt inclined to break with her for ever, and to congratulate himself on being quit of so strange and unsatisfactory a friendship.

He had not told himself, indeed, that he was prepared to marry her. Democratic as he had become in many of his opinions, and conscious, self-convicted, of falsehood and treachery to his cousin Estelle, he yet in his cooler moments shrank from the idea of marrying an uneducated girl of humble extraction, reared in a wilderness and bearing traces of a savage life, beautiful exceedingly, and despite of her wilful and untamed nature, wildly fascinating, as he confessed her to be. Thus swayed by opposing currents, his heart and brain drifted aimlessly to and fro for a space, while still a strange and unreal tinge of romance was given to his life by the ever onward and favouring current of the golden tide.

Although matters had not progressed sufficiently far on the pathway to civilisation at

Growlers' to establish a claim to society in any conventional acceptance, yet was there a rudimentary germ or nucleus. One or two of the Government officials were married. There was a clergyman who had a couple of daughters, energetic, intelligent damsels, who had adapted themselves with much tact to their unusual surroundings. At the camp there were gatherings of the officials of various grades—police, gold commissioners, magistrates, and so forth, with a few of the more aristocratic adventurers whose names were known, and who were armed with introductions. It would be inaccurate to deny that there was a little loo now and then, also whist, of which the points were certainly not sixpenny ones. To these rational expedients of passing the time, which, when there was no actual business on hand, occasionally lagged, Mr. Trevanion would have been a welcome addition; good-looking, well-bred, and—more than all—exceptionally fortunate as a miner. But to all these hints and suggestions he—with a certain perverseness difficult

to account for, and which was remembered in days to come—obstinately turned a deaf ear. More than one hint—well meant—was thrown out touching the expediency of being ‘so thick with those Lawlesses.’ Of course one could understand a young fellow being attracted by a handsome lively girl like Kate Lawless. In those wild days every man was a law unto himself, and revelled in his freedom. Yet was there not lacking, even in that *mêlée* of rude adventurers and unprecedented social conditions, more than one kindly adviser. There were men who knew the world—European and Australian—well and thoroughly. From them he received warnings and advice. But he repelled all friendly aid, and obstinate with the perverse intractability of the Trevanion nature, disregarded them all.

Beside outside acquaintance, in addition to Hastings and his mate Jack Polwarth—who with his honest-hearted good little wife never ceased to disapprove and to keep up a persistent warfare, so to speak, against the

Lawlesses—he had a friend within the fortress who more than once gave him a warning, had he cared to avail himself of it.

Quiet and reserved as Tessie (or Esther) Lawless had always shown herself, he had never fallen into the error of mistaking her for a commonplace girl. Without the showy qualities of her cousin Kate, she gave token from time to time of having been better educated and differently brought up from the others. She was always treated with a certain amount of respect, and, even in Kate's most irritating moods, as she rarely replied, so was she the only one of the party who escaped her scathing tongue.

She never appeared to seek opportunity to gain Lance's attention, though when she did speak there always appeared to be some underlying reason for her remarks. One of her characteristics was a steady disapproval of the sharp tricks and double dealings of which her cousin often boasted, and which Lance did not generally comprehend. He supposed them,

indeed, to be among the acknowledged customs of the country, and not considered to be illegal or discreditable.

‘They are nothing of the sort,’ she was accustomed to say, with considerable emphasis. ‘They are theft and robbery—call them what you will; they are certain to bring all concerned to the gaol at some time or other. If people don’t mind *that*, nothing I can say will have any effect.’

‘You’ll have to marry a parson,’ Ned Lawless would reply. ‘What do you think of the young chap that preached to us in the flat last Sunday? Why, half the squatters began by a little “duffing.” Nobody thinks the worse of a man for that.’

‘If they’re caught they go to gaol,’ replied the uncompromising Tessie. ‘Then they’re criminals, and can never look any one in the face again! And serve them right too in a country like this, where the gold fairly runs out of the ground into people’s pockets.’

They all laughed at this, and the conver-

sation dropped, while all hands—the girls excepted—set to at a night of pretty deep gambling, which lasted well into the small hours.

A fortnight after this, as Lance was sauntering down in the evening to the Lawlesses' camp, he found to his great surprise that there appeared to be no one at home. The tents were all down, and gone, but two.

One of the younger boys—a silent apparently stupid youngster of fourteen—was in charge of the few remaining horses and the packs left behind. He could give little or no information, except that the party had moved to a new digging, of which he did not know the name, or, indeed, in which direction it was. All he knew was that he and Tessie had been left behind, to stay till they were sent for. All the horses were gone but three. Tessie had gone out for a walk along the Creek, but would be back soon. 'Here she comes now.'

The boy pointed to a female figure coming slowly along a track which followed the

banks of a little creek, near which the Lawlesses' camp had been formed, and then walked over to where the hobbled horses were grazing, as if glad to escape from the necessity of answering other questions.

The girl approached with her head down, and her eyes upon the ground, walking slowly, as if immersed in deep thought. Suddenly she raised her head and gazed at him with a peculiar expression in her brown eyes. They were not large, but clear and steadfast and—while she was speaking—had a singularly truthful expression. 'There was a kind of half-pitying look in them, Lance thought, which made him suppose that some misfortune had happened to the little community, of which he had so lately been a regular member and associate.

'What's the matter, Tessie?' said he. 'I can see at once that you are troubled in your mind. Why are they all gone away? Didn't Kate leave any word or message for me? All this is very sudden.'

‘Mr. Trevanion,’ said the girl, stopping short as he approached her, ‘I sometimes think you are the most innocent person I ever met. We natives think young men from England are not very sharp, sometimes—but that is mostly about bush work and stock, which they can’t be expected to know. But of all I ever met I think you are the most simple and—well, I must say—foolish.’

‘You are not complimentary,’ replied Lance, rather sullenly, and ‘You don’t rate my understanding very highly. May I ask if you have any letter from your cousin Kate for me?’

‘Yes. I have,’ replied the girl, speaking with more energy than he had ever before noticed in her, ‘and I have been tempted to tear it to pieces and leave you to guess the meaning. If I had acted as your true friend—which I have always been—I should have done so. Take my advice and drop us all—once and for ever. Why should you persist in making friends of us? We are not good com-

pany for you—a born gentleman. Why don't you behave like one, and leave people alone who are not your equals in any respect ?'

'May I ask for the letter you refer to ?'

'Listen to me for the last time,' she said, coming closer to him and looking earnestly into his face. 'Listen to me, as if I was your sister—your mother—or the dearest friend in a woman's shape you have on earth. I know what is in that letter. Kate wants you to join her and the rest of the crowd at Balooka. Don't go ! Do you hear what I say ?—*don't go !* or you will repent it to the last hour of your life.'

'Why should I not ?' asked he. 'Are you not going yourself with Billy here to-morrow ?'

'I am *not* going,' she said. 'I shall go to Melbourne to-morrow by the coach, and, perhaps, never see one of them again, or you either. They have been kind to me in their own fashion. I have eaten their bread, and, therefore, I will not say more than I can help.

But beware of Kate Lawless! She is not what she appears to be! She is deceiving you, and worse even than being the dupe of a heartless and unprincipled woman may happen to you. Oh, promise me,' she said, 'promise me before I leave that you will not go!'

'If I had any doubt, your last words have decided me,' he said, and as the angry light commenced to gleam in his eyes the girl's expression changed to that of wonder and strange terror, deepening visibly.

'It is himself!' she said, almost shuddering. 'Can there be two? Is the Evil One walking on the earth and working his will as in the old old days? You will not be turned now,' she went on. 'God is my witness that I have done my best. Your blood be on your own head!'

'Say good-bye, Tessie,' he said. 'I shall never forget your good intentions, at any rate.'

'Good-bye,' she said, in a tone of such

sadness that he felt impressed in spite of himself. 'You will not forget *me*. No, whatever happens you will not do that. For your dead mother's sake, for your sister's, and if there is any one dearer than either beyond the seas, for *her* sake, God bless and keep you.' And, waving her hands distractedly, like a woman in a dream, she walked swiftly towards one of the tents, which she entered, and was hidden from his view.

'Here it is,' she said, reappearing, 'if you will have it,' and, as if moved to sudden despair, she cast the letter upon the ground with every gesture of anger and contempt. 'If it was a snake you wouldn't pick it up, would you? And yet,' she went on, suddenly dropping her voice to a low, earnest whisper, 'the worst carpet snake you ever saw—a death adder, even—would do you less harm than what's in that letter, if you follow it. Be warned; oh, Mr. Trevanion, be warned.'

As she spoke her face softened, she leaned forward in a beseeching attitude, her eyes

filled, and this ordinarily reserved and self-contained Tessie began to weep hysterically.

‘Confound the girl!’ said Lance to himself. ‘What a terrible to-do about nothing at all! What’s the good of coming to Australia if one can’t choose one’s own society? I might as well be in Cornwall again. Surely this girl isn’t in love with me, too?’

His unspoken thought must have manifested itself in some mysterious fashion, though no word escaped him, for Tessie Lawless left off crying, and, wiping her eyes, with a haughty gesture, appeared to return to her usual composed bearing.

That night brought but little sleep to the eyes of Lance Trevanion. It was late when he entered his hut, and, flinging himself on the bed where, for the most part, he had known nought but dreamless repose, he commenced to think over the situation.

Should he accept the warning so solemnly

given by this strange girl, who, before this, had manifested but little interest in his career, and had lived a merely negative and defensive life?

‘How little we know of people’s natures,’ thought he, ‘women’s especially. Who would have thought this quiet girl had all this fire and earnestness in her? Her warning squared curiously with all that he had gathered from other sources. Was there something mysterious and by no means fair and above-board about these Lawlesses? It looked like it. And Kate! What an artful treacherous jade she had proved herself to be, if what her cousin said was true. Well, at any rate, he would go and see for himself. He knew, or thought he knew, enough of life not to entirely trust one woman’s word about another. If Kate was false and deceitful, he would have the satisfaction of telling her so to her face. If she was true, well, he really did not know what was to be done in that case. At any rate, he would go and see.

Yes, he would show he was not afraid to meet them all, there or anywhere else.'

The fateful letter was short, badly written and worse spelled. It merely stated that her brothers had settled to move to Balooka, naming a new digging nearly a hundred miles away, and not far from the foothills of the great Alpine range. They had gone into a large purchase in horses, and were going to drive them to Melbourne in another month, when they expected to make a lot of money out of them. 'If he cared to see her again he might meet them next week at Balooka. The road went by Wahgulmerang.' This precious epistle was signed, 'Your true friend and well-wisher, Kate Lawless. P.S. If you only seen the black mare that was gave me by a friend.'

There was nothing alarming in this apparently simple and guileless missive. A ride to a new digging was not only a pleasant novelty, but distinctly in the line of his occupation as a miner, now that he was an

authority as a 'golden-hole man' with local fame and reputation. He had a good horse, and though stabling was expensive he had felt justified in being well mounted, as the companion of such a horsewoman as Kate Lawless. The reference to the black mare and the generous friend rather piqued him, as was probably intended. He had never encountered any one in the guise of a rival, and felt curious to see what kind of admirer had come forward.

His preparations were not long in making. He informed Hastings and his mate Jack that he was going to Balooka and might be absent for a week or two.

They evidently suspected the nature of the magnet which was attracting him, and by their manner showed anything but cheerful approval of his plans; wise by experience, however, they refrained from expostulation.

CHAPTER VIII

MORE than once—many times, in fact—Lance Trevanion revolved in his mind the strange mysterious warning which he had received from Tessie Lawless. Careless, indeed reckless, as he had become lately in the gratification of his caprices; safe in the possession of wealth hitherto undreamed of and daily increasing; basking in a local splendour of reputation based on the broad pedestal of success, there was yet something in the girl's earnest tones and candour of mien which awed and impressed him. Did she—could she—know anything really important? What *could* there be behind the scenes likely to operate prejudicially as far as he was concerned? Why should he not go to this place

which Kate had named, stating playfully that it was rather an out-of-the-way hole, but one which, as he was always praising up the beauties of English scenery, he might like to see? ‘*She* couldn’t talk that sort of rubbish, but there was a big dark mountain, a running river, not like this ditch of a creek, and a flat beside it, like a small plain; snow, too, in the winter. He’d better come up and see. It would be a change after this beastly hot, dusty diggings.’ So between idleness, irresolution, and the lure of womanly wiles not weakened in witchery, in a latter day and a newer world, Lance Trevanion finally decided to go to Balooka. ‘He had given his word,’ he told himself, ‘and what a man says he should stand by, in great things or small. Such, at least, has always been the wont of the Trevanions of Wychwood.’

So next morning he sent for and saddled his horse—an upstanding, well-bred bay, with a star and two white hind legs, which he had bought a month or two since from Ned

Lawless. There was no finer horse on the goldfield. More than once he had been asked from whom he had purchased him, where he was bred, what his brand was, by inquiring admirers, after a fashion which he was apt to dispose of hastily, if not rudely, as betraying the ignorance and bad form of colonists.

He had intended to make a very early start, but it so chanced that there had been an unusually rich washing-up the night before, and Jack Polwarth, honest but unlettered, was most urgent that he should make the deposit in the bank himself, receive the receipt, and see the amount duly divided and paid in to their separate accounts. To this, after some grumbling, he agreed, though not without declaring that Jack could do it just as well himself, for Mr. Stirling, the manager of the branch of the Australian Joint Stock Bank, then doing the chief business at "Growlers'," was smart, straight, and plucky enough to run the Bank of England, if that time-honoured institution had rated at its true

value the growing gold-crop of Australia, and opened there.

It may be here explained that the gentleman placed in charge of a branch bank on a leading goldfield in Australia differs widely from the portly, white-waistcoated, decorous potentate generally cast for the character in the metropolis or the large towns of the settled districts. He must be young, in order to undergo easily the shifts and privations of goldfield life. High-couraged the man needs to be, who sleeps with one revolver under his pillow and another at his right hand ; himself, perhaps, and his assistant, the sole custodians of a hundred thousand pounds in gold and specie, within a bark-walled, bark-roofed shanty, surrounded by an unscrupulous population, among whom, though not disproportionately so, are some of the most reckless desperadoes, refugees, and unhung murderers anywhere to be procured. He must be free of speech and open of manner, so as in a general way to commend himself to

the miner of the period; a man, as a rule, who, while respecting and preferring a gentleman in matters of business, abhors formality. It is by no means to his detriment if, in his hours of ease, he demonstrates his ability to give points at billiards or euchre to nearly all comers, or to 'knock out in six rounds' the leading talent in the glove tournaments periodically held. In addition to these various gifts and graces he must have a cool and strong head, a firm will, and a resolute determination to do his duty to his employers at whatever hazard, and finally, while not holding aloof from the amusements of the hour, to remain well governed, sober and temperate in all things, amid the manifold and subtle temptations of the 'field.'

Oftener than not when the General Manager looks around among his more promising juniors for the possessor of these qualities, he finds him among the scions of the aristocratic families (for there are these in all British Colonies, and recognised as such), the heads of whom,

holding Imperial official appointments, or having received grants in the old colonial days, have failed to follow any of the numerous paths to fortune trodden by their humbler comrades. In many instances the unsuccessful colonist of this class—often a retired military or naval officer—had anxiously desired to imbue his sons with that mercantile knowledge in which he himself stood confessedly deficient. And the youngsters, shrewdly observant of the weak point in the paternal career, in a large number of instances, have developed an aptitude for business which has regained for the family the status lost in the past. Furthermore, in the occasional adventures of a more or less dangerous nature, inseparable from a transitional state of society, the pioneer financier has more than once exhibited an amount of courage and coolness, including steadiness under fire, which has proved him a worthy descendant of the grizzled veteran who, with clasps and medals for half the battles in the Peninsular War, had never

mastered the difference between principal and interest, much less the mystery of debit and credit balances.

Such a fortunate and not unusual combination was Charles—generally known as Charlie Stirling. Him the miners on more than one ‘rush’ were wont to pronounce emphatically ‘a dashed good all-round man, if ever there was one.’ Australian born, and in right of such privilege, standing six feet in his stocking soles, strong, lithe, sinewy, a fine horseman, and a sure shot, courteous ever, yet, in business matters, cautious if liberal, Charlie Stirling—one of a large family, in which all the brothers were ‘men and gentlemen,’ and the sisters handsome and intellectual—was, at that day, perhaps, the most popular and widely trusted bank manager out of Melbourne.

It was with this personage that Lance determined, as he expressed it, ‘to waste the morning’ in delivering Trevanion and party’s gold, watching the same being weighed and

the proceeds calculated at the rate of three pounds seventeen shillings and sixpence per ounce, duly paid to the credit of the accounts of Lancelot Trevanion and John Polwarth, respectively.

Then, as he anticipated being absent a week or two—the weather was getting very hot and he thought a change to a cooler climate would be enjoyable—the idea suddenly occurred to him that he might as well leave his brass-bound trunk containing all his English souvenirs and valuables, including letters and papers, in Mr. Stirling's care. 'The tent might be burned down or robbed in his absence,' he bethought himself, 'and Stirling is such a brick that if I came back in ten years instead of ten days, it would be as safe as when I left it. There are not so many men I'd say the same of, but if there's any man to whom the old boast "you can trust your life to him" applies, that man is Charlie Stirling!'

Between business and pleasure the day was

pretty nearly disposed of. His valise had been packed in the morning. The bright bay horse was faring well in the stable of the 'Prospector's Arms' hard by the bank—where all hands went to lunch at Mr. Stirling's invitation. He and his clerk lodged there, as far as meals went, though they took care—as, indeed, was strictly necessary—to sleep at the bank. Mrs. Delf, the smart and proverbially energetic landlady, was instructed to prepare a more than usually *recherché* collation. Champagne ornamented the festive board, of which a local magnate—the opulent squatter of the vicinity—was invited to partake, and all things being fittingly concluded, Lance Trevanion made his adieus.

'Well, good-bye, Stirling!' he said, as he mounted the resolute bay, who arched his neck and gave a playful plunge. 'You'll honour my drafts, I suppose? and, by the bye'—here he drew a rather large envelope from a shooting-coat pocket—'keep this till I return. I had a fit of the blues last week,

and scribbled what you'll find inside. Good-bye, Jack'—here he shook hands with Polwarth—'I'll ride by the claim, and say good-bye to Tottie and her mother.'

Half an hour's fairly fast riding brought him to the claim, alongside of which stood the rude canvas shelter which had for so many weeks, even months, filled the place of 'home' for all the party. A true home in the best sense had it been. There had the little party enjoyed, so far, peace, security, warmth and shelter, sound sleep and wholesome meals. Near it was the shaft through whose incursion into Mother Earth's interior the *esse*, to be so much more noble *in posse*, had been reft by hard and honest toil. Even such a dwelling is not quitted wholly without regret.

'Well, good-bye, Mrs. Polwarth!' he cried as he rode up to where that worthy matron—having placed a gigantic loaf in the hot ashes of the recent fire in the open chimney—was washing and cleaning up

all her belongings. 'I'm going away for a week.'

'Where to, sir?' she queried, 'if I may make bold to ask.'

'Well, up the country a bit. Ned Lawless wants me to join him at a new diggings, more than a hundred miles from here.'

'Ned Lawless!' the good woman echoed in a tone of voice by no means expressive of satisfaction. 'And what call have you, Mr. Lance, to go making free with the likes of him? I don't like none of the breed—men nor women, if you ask me, and what I've heard is a deal worse than what I've seen. They're most like a lot of gipsies, to my thinking, as a cousin of mother's went away with, and never was heard of no more. Don't have no truck with them, Mr. Trevanion. What 'ud the squire say?'

This last appeal, like many well-meaning deterrents, signally failed of its effect. With a frowning brow, such as Mrs. Polwarth had rarely if ever seen, Lance turned his horse's

head, muttering, 'Don't talk nonsense, Mrs. Polwarth; things are very different from Cornwall, and the Lawlesses are my friends. I'll trouble you not to——'

At that moment, when, perhaps, something of the fierce nature of the man—of late subjected to wholesome influences—might have broken forth, a voice was heard saying, 'Kiss Tottie, Lance,' and that rosy little innocent, bright-haired and blue-eyed, like one of Guido's angels, ran forward from the tent almost up to the horse's shoulder. 'Keep away, Tot,' he called out, springing down. 'You little puss, do you want Pendragon to tread on your naughty toes?' The child ran to him, as if secure of welcome, and throwing her arms round his neck, kissed him on brow and eye, with all the loving abandon of childhood. 'Come back soon to Tottie,' she cried. 'Naughty Lance, to go away.'

'Lance come back soon,' he said, and his face softened as he looked at the child, in a way which showed how the finer chords in

that mysterious mechanism, the human heart, may be stirred by one touch of simple nature. 'And I'll bring a bag of sugar-plums twice as big as this,' diving into his pocket and throwing towards her a large paper receptacle of sweets. 'Bye-bye, Tottie. Good-bye, sweetheart, good-bye,' he carolled forth, as he struck spurs into his horse, and disappeared round a turn of the winding, tree-girdled forest-road. 'May the Lord keep him from all evil, and from the Adversary,' said Mrs. Polwarth, a sound disciple of Wesley. 'His heart is that good, if his head's a bit wrong set.'

Lunch had been, perhaps, slightly protracted owing to the accompanying champagne, one consequence of which was that after going back to the claim, and saying good-bye to Mrs. Polwarth, not to speak of putting a few of his personal possessions in order at the tent, Lance Trevanion found on reference to the sun's height above the horizon that it was much later in the day than he supposed. It would not be possible without

hard riding to make the stage he had proposed. There was nothing to be gained that he knew of by saving a day in the expedition; he therefore decided to stay quietly in the township that night, stable his horse at the hotel stables, retire early, and make a 'day-light start.' An apparently trivial disturbance of his original plan, yet upon such diminutive difference in action what enormous consequences frequently depend.

Day had scarce broken as Lance Trevanion rode down the slope and across the creek flat, which so lately the Lawless encampment had occupied and rendered homelike, where he had passed so many a pleasant hour. Empty and deserted, it wore to him, now, a forlorn and melancholy aspect. The boy had evidently packed the tents and removed the remaining chattels according to instructions. Tessie was, of course, also gone. She had indeed been seen on the Melbourne coach.

The day promised to be perfect. The sun stealing through the eastern woods was slowly

irradiating the sombre slumberous landscape. Mists were rising from the lower levels, forming lakelets of white vapour, into which capes and promontories ran, and islands floated. The birds awakened by the sun-rays commenced with note of carol to welcome the golden azure day. The well-bred hackney stepped out gaily, shaking his head and making his curb-chain ring in a fast and easy walk. 'What a glorious climate! What a grand country this is!' thought he. 'How free is every man's life here, untrammelled by the vexatious restraints of a narrow society. The very air is intoxicating. Joyous, indeed, is this life in a new world!'

The journey was much longer, besides being rougher as to wayfaring, than Lance had expected. Following the directions given to him and the straggling tracks which the earlier digging parties had made, he began to approach the celebrated Balooka 'Rush.' He had noticed that he was gradually quitting the open forest country. All suddenly, after

toiling up one range after another, he found himself upon a mountain plateau. Beneath this, and beside a rushing, brawling, snow-fed river, wholly unlike any stream which Lance had yet seen in Australia, lay, far adown a deep glen, the already populous mining camp.

Lance gazed with astonishment at the novel and picturesque landscape. ‘Am I in North Wales again?’ he could not help asking himself. ‘Who would have thought to have seen such a river? Such richly green meadowlands? Such a stupendous glen? And oh!’ he thought, as he passed round a cape of volcanic trap-rock which impinged upon the smooth upland, ‘what magic and enchantment is this?’ Yes, truly, as a loftier line of summit of the great Alpine mountain chain which bisects the continent came into view. So sudden was the surprise, so strangely contrasted with all his preconceived ideas of Australian scenery was the presentment of the wondrous white battlements upreared against a cloudless azure sky, that he was constrained

to rein in his horse and gaze, silent and spell-bound, at the supernal splendour of the apparition. 'If Estelle were by my side! If she could but behold this entrancing prospect,' he thought. 'She, whom the view of a far blue range of hills, of a peaceful lakelet, would send into ecstasies of admiration! How often had they stood together in the fading summer eve and gazed at the wide and wondrous landscape, as they then deemed it, which extended for some twenty or thirty miles around Wychwood.' Here, with a new world unfolding to his gaze, what crowds of ideas and half-formed projects coursed through the adventurous brain of the gazer. Born of the class and moulded of the race which had produced the immortal voyagers, the unconquered warriors, the dauntless adventurers of Elizabeth's reign, Lance Trevanion needed but the stimulus of his present surroundings to be inspired with lofty and enterprising ideas. His original intention of returning home and settling down to the monotonous and luxurious stagnation

of an English country gentleman's life became hateful to him. Far rather, if Estelle would join him here, would he invest in these half-tamed Australian wilds, acquire a principality along with the colossal herds and countless flocks of the typical squatter, which magnates he had seen and heard tell of. Eventually, he would embark with a capital sufficient to buy up half the Duchy, to restore the House of Trevanion to its ancient grandeur, and go down to posterity as *the* Trevanion, the latter-day champion of the race, who had redeemed the once regal name from the mediocrity which had oppressed and disfigured it. But these momentous plans and enterprises could by no means be carried out without the companionship and solace of 'one sweet spirit to be his minister,' and in that hour of exultation and unfaltering confidence there came to him, like the strain of distant music, the low, sweet tones—the gentle chidings of his queenly Estelle. *She* would, unless he misjudged her, follow him to the ends of the earth. Why,

then, should he wait to linger here amid rude surroundings—even ruder society? His business could be quite as well managed in his absence by the faithful Jack Polwarth. How suddenly the idea struck him! Why, he could take his passage in the *Red Jacket*—she was to sail in a fortnight; he had seen the advertisement in the Port Phillip *Patriot* of the day before he left Growlers' Gully—and be in England in six weeks! A month or two in England, a honeymoon trip on the continent, and they could be easily back here before next winter. Miners had done it, even in his experience. The great thing was to make a start. He would not lose time. He had lost too much already. He had half a mind to turn now, and get back as far as the Weather-board Inn he had seen about ten miles distant. What was the use, after all, of seeing this new field, Balooka—or the Lawlesses—which meant Kate? What good could come of it? Perhaps the reverse, indeed. Was there really anything hidden, at which Tessie had clearly hinted?

So sharply and clearly did this new view of his plans and prospects strike him. May there not be moments when the voice of a man's guardian-angel sounds with a strangely-solemn and distinct warning in his ears, for the moment drowning, as with a harp of no earthly tone, the fiend-voice which ever seeks to lure him to his doom? It would appear so. For even as Lance Trevanion turned his horse's head, and paced slowly, but resolvedly, in the opposite direction by which he had advanced, a woman rode at half-speed from out one of the forest tracks—leading a saddled horse—and reined up with practised ease in the main road, almost beside him. It was Kate Lawless.

For the moment he could scarce believe his eyes. He awoke from his day-dream with a half sense of disloyalty to his promise, as the startled gaze of the girl rested upon him. Their eyes met. In hers he thought he recognised a surprised and doubtful expression, unlike her usual fearless regard. She

looked athwart the track adown which she had come, and along the main road into which she had entered. At the first clattering sound of her horse's hoofs Lance had turned his horse's head in the direction of Balooka, so that she had not the awkward admission to make that he had been retracing his steps.

‘Did you meet or pass any one on the road?’ she said, as soon as they had interchanged greetings. ‘I couldn’t hardly make out who you were when I came up. Sure you seen no one?’

‘Not a soul, except a Chinaman,’ he said; ‘but what does it matter? I’ve met *you*—and you have ever so much more colour than when I saw you last. How becoming it is!’ And, in truth, the girl’s cheeks showed a heightened hue, whether from emotion or exercise, which he had never observed before during their acquaintance.

For the rest, she looked handsomer than he had ever thought her. Her graceful figure swayed easily in the saddle as she steadied her

impatient horse—an animal of high quality, and, unknown to Lance, as was also the thoroughbred she was leading. Her hair had become loosened at the back from the great knot in which it was mostly confined, and hung in bright luxuriance almost to her waist. Her eyes sparkled, her smile seemed the outcome of unaffected pleasure at meeting Lance again. The old witchery asserted itself—old as the birth of history, yet new and freshly fair as the dawning day. For the time Lance felt irresistibly impelled to follow where she might lead, to abide at all hazards in the light of her presence.

Where were now the high resolves—the lofty emprise of a short half-hour since? *Où sont les neiges d'antan?* Gone, gone, and for ever! Was there a low sigh breathed beside him as he rode close by her bridle-rein adown the long incline, in which they could see the diggers' tents in thousands whitening the green valley beneath them?

‘So you have come to see us at last,’ she

said archly. 'I began to think Tessie had frightened you off it. I can't tell what's come to the girl. Billy told me she'd been pitching a lot to you : how bad we was, and all the rest of it.'

'I said I would come, didn't I? and here I am. And a grand country it seems to be. But what are you about, yourself, and whose horse, saddle, and bridle are they? You haven't been "shaking" them? isn't that the word?'

'No fear,' she answered—half shyly, half angrily, as it appeared to him. 'I suppose you think we haven't got a decent horse. I rode out with Johnnie Kemp—one of our chaps that's working a claim at Woolshed Creek, and brought back his horse for him.'

'Johnnie Kemp knows a good horse when he sees him,' he replied, as he looked at the well-bred animal. 'You'd wonder how they got such a coat up here. And how is Ned? You left Growlers' Gully rather suddenly, don't you think?'

‘That was all Ned’s doing ; he heard about this place being so good, and was afraid to wait. He and the boys have got a first-rate claim here ; but he’s been buying a lot of horses lately, and talks of starting for Melbourne with a mob next week.’

‘That would suit me exactly,’ said Lance. ‘I should like to make one of the party, for I intend to be in Melbourne some time before the month is out.’

‘What makes you in such a hurry to get to Melbourne ?’ the girl asked, and, as she spoke, she leaned across nearer to him and laid her hand on his horse’s mane, holding her bridle-rein and the led horse in her right hand. ‘Old Pendragon looks lovely, don’t he ? You’d better stop and keep me company while Ned’s away. I shall be as miserable as a bandicoot, for the chaps are away more than half the time, and this is a roughish place—a deal worse than Growlers’ ; poor old Growlers—I always liked the place myself.’

As she spoke, her voice became lower, with

a softened, appealing tone in it which strangely stirred the pulses of the listener. The day was nearly done ; the solemn summit of the snow range was becoming paler, and yet more pale, as the crimson and gold bars of the sunset sky faded out. There was a hush, almost an unbroken silence in the forest ; far beneath, still, the mining camp appeared to be a mimic *corps d'armée*, from which one might expect to encounter sentinel and vedette. The girl's gray eyes were fixed upon him with a pleading, almost childish intensity. It was one of those moments in the life of man—frail and unstable as it is his nature to be—when resolutions, principles, the experience of the past, the hopes of the future are swept away like leaves before the blast, like driftwood on the stream, like the bark upon the ocean when the storm-winds are unchained.

What an Enchantress is the Present ; Ill fare the Past and the Absent ! be they never so divine of mien, so spotless of soul. Lance Trevanion placed his hand on the girl's shoulder

as she looked up in his face with the smile of victory. 'I shall have to take care of you, Kate, if Ned's going to desert the camp,' he said. 'I suppose he won't be wanting to settle in Melbourne.'

CHAPTER IX

THEY rode quietly adown the winding track, which the sharpness of the grade rendered necessary, until finally reaching the wide green flat, they halted before the much-vaunted 'rush' of Balooka. The early summer sun's rays in that temperate region had as yet been unable to dim the green lustre of the herbage, or turn to dust the close sward of the river meadows. The contrast was sharply accented in this still dreamy eve between the brilliant tones of the levels and the sombrely-purple shadows of the overhanging mountain, the faintly-burning sunset tints, while through all sounded the rhythmic murmur of the rushing river rippling over slate and granite bars, in the crevices of which were 'pockets' filled with

gold. The strange blending of sounds which arose from the camp—an occasional shot, the barking of dogs, the low hum of many voices indistinctly heard—were not devoid in unison of a rude harmony.

‘Can anything be more wonderful than this change of scenery?’ exclaimed Lance admiringly. ‘Who thought there *could* be such a spot in Australia? It is lovelier than a dream!’

‘It don’t look bad,’ assented his companion. ‘That’s our camp to the right. You can see they’ve yarded the horses. Ned’s in front with his gray horse, and I spot a stranger or two. Perhaps he’s sold the mob “to a dealer.”’

Touching the led horse with the quince switch which she used as a riding-whip, Kate dashed into a hand-gallop, and, riding at speed across the boggy runlets which trickled from the hills, pulled up short at a cluster of tents somewhat away from the main body of miners. They had been pitched close to the edge of the

far-extending flat; nearly opposite was a brush and log stockyard, in which were nearly a hundred horses.

Springing from her horse, though still holding the two bridles in her hand, the girl walked up to her brother, saying as she came, 'It's all right, Ned, Trevanion's come with me. I fell in with him—My God!' she continued in an altered tone, 'what's up?' Then for the first time turning her searching glance on the plainly-dressed man with a slouched felt hat who stood by her brother's side, she exclaimed, 'Frank Dayrell, by the Lord! Why, I thought you were a hundred miles off. What call have you to be worrying and tracking us down, like a black-hearted bloodhound that you are?'

'Hold your d—d chatter, Kate, can't you?' said her brother, whom she now noticed had handcuffs on, though, with his hands before him, it was not at first apparent. 'Why the devil didn't you keep away when you were away? I thought you and he were gone for good.'

‘Johnnie Kemp was only going as far as his claim ; you know that,’ she answered, with a meaning look, though her cheeks grew pale and her lips became hard and set. ‘Now, Sergeant Dayrell, what are you going to do to me—put the bracelets on, eh?’

Then this strange girl burst into a wild fit of laughter, which, though bordering on hysterical seizure, was yet sufficiently natural to pass for her amused acknowledgment of the humour of her situation.

At this moment Lance Trevanion, who had been gazing around with the air of a man surprised out of all ordinary power of expression, dismounted and advanced towards the man-at-arms.

‘Sergeant Dayrell,’ he said, ‘I am quite at a loss to understand these very strange proceedings. Have you a warrant for the arrest of my friend Lawless here? Is he to be punished without trial? And for any rashness to this young lady here be assured that I will hold you accountable.’

The trooper smiled grimly as his eye, cold and contemptuous, met that of the excited speaker.

‘Your *friend*, as you call him, is arrested on suspicion of stealing certain horses missing from the Growlers’ Gully and the Ballarat field generally, several of which, in that yard, are already identified. Miss Kate Lawless will have quite enough to do to clear herself. She knows where that led horse came from. As for you,’ and here his voice suddenly became harsh and menacing, ‘the horse you ride is a stolen one, and I arrest you on the charge of receiving, well knowing him to be such. Put up your hands.’

Lance Trevanion had come nearer to the sergeant as he spoke, the frown upon his face becoming yet more ominous and dark, while the gloomy fire in his eyes had become strangely intense. As the sergeant spoke the last word he drew his revolver, and pointing it full at the young man’s head advanced upon him. He doubtless calcu-

lated upon the surprise which in the case of most criminals, alleged or otherwise, rendered them easy of capture, for he signed to one of the men in plain clothes who stood near to bring the handcuffs ready in his hand. But at that moment Trevanion, springing forward, knocked up the barrel of the revolver, and, catching his enemy fair between the eyes with his left, felled him like a log. He lay for an instant without sense or motion. Before Lance had time, however, to consider what use he should make of his instinctive success the two constables were upon him from either side. He made one frantic struggle, but the odds were too great, and after a short but severe contest the fetters were slipped over his wrists with practised celerity, and the locks being snapped, Lance found himself, for the first time in his life, a fettered captive.

The sergeant rose slowly to his feet and gazed upon the young man, now breathless and held on either side by the myrmidons

of the law. His brow was flushed and red, but there was, at present, no mark of disfigurement.

‘That was one for you, Dayrell,’ said the mocking voice of Kate Lawless, as she stood by her brother, with a jeering smile on her lips. ‘My word, Lance Trevanion, you got home then if you never get the chance of another round. Why don’t you slip the bracelets, sergeant. and have it out man to man? I’ll see fair play. You’ve a lot of science, we all know, but I’ll back Lance for a tenner. What do you say?’

The expression on the sergeant’s face had never varied from the cold and fixed expression which it had worn when he made the charge against Lance, but now he relaxed visibly and wore a comparatively cheerful air.

‘You are a good straight hitter, Trevanion,’ he said, ‘and I like a man all the better for being quick with his hands. I didn’t count on your showing fight, I must say. But you never can tell what a man will do the

first time he's shopped. You'll know more about it before we've done with you.'

'Good God!' said Trevanion, 'you don't surely mean to say that you believe I have had anything to do with stealing horses? I may have been deceived. I begin to suspect that I have, but how many men have bought stolen horses on the diggings without a thought of anything dishonest? What reason have I either, a man with more money than he knows what to do with?'

'You can tell all that to the Bench,' said the sergeant coldly. 'All I know is that I find you in possession of a stolen horse and the associate of horse-stealers. You must stand your trial like other men.'

Had the mountain suddenly rolled down, filled up the river, and pulverised the camp, Lance's astonishment could not have been more profound. He groaned as he felt the touch of the cold iron, and then sullenly resigned himself to the indignity.

'Now, Miss Tiger-cat,' said this modern

presentment of Nemesis, '*you* know pretty well where the horse you were riding came from, and where the one you were leading ate his corn a week ago. I must take them with me, but you can have your side-saddle. Whether you're brought into this racket depends on yourself, *you understand me.*' And with a meaning glance the sergeant turned to his men. 'One of you take the prisoners to the lock-up. Shoot either of them if they try to run. The other take these three horses and secure them at the camp stable. I'll remain here till you come back to watch these horses in the yard.'

The little procession moved on. The fettered prisoners—now linked together—the three led horses. The number was swelled by dozens of idle or curious spectators to nearly a hundred before they reached the temporary but massive wooden building which did duty as a gaol; and therein, for the first time in his life, Lance heard a

prison key turned, and a prison bolt shot, upon—himself.

Words are vain things, after all. Who can essay to describe—be it ever so faintly traced—the mingled shame and surprise—the agony and the sorrow—the wrath and despair of the man unjustly imprisoned? Think of Lance Trevanion, young, gently nurtured, ignorant, save by hearsay, of crime or its punishment, suddenly captured, subjected to durance vile, in danger of yet infinitely greater shame and more lasting disgrace. Haughty and untamed—so far removed by race and tradition from the meaner crimes from which the lower human tribes have for ages suffered, it was as if one of the legendary demon-lovers of the daughters of men had been ensnared and chained. Ceaselessly did Lance Trevanion rave and fret on that never-to-be-forgotten night. The dawn found him pale and determined, with set face and drawn lips. Every vestige of youth seemed to have vanished.

Years might have rolled on. A careless youth might have been succeeded by the mordant cares of middle age. So changed was every facial line—so fixed the expression which implied settled resentment of an outrage—even more, the thirst for revenge!

When he became—after hours of half-delirious raving—sufficiently calm to reflect upon and realise his position, nothing could be clearer than the explanation. Scales seemed, metaphorically, to have fallen from his eyes. How blind! How imbecile had he been, thus to walk into the trap with his eyes open! *This*, of course, was what the girl Tessie had meant when with such disproportionate earnestness she had warned him not to go on this ill-fated journey. She knew what Ned Lawless's past had been, what any 'business' of his was likely to be; and Kate—double-dyed hypocrite and false-tongued jade that she was—how she had lured him to his doom. Perhaps not exactly that, for, of course, his utter

ignorance of their villainy would appear on the trial, if it went so far, and as to buying a stolen horse it was next to impossible to avoid that—numbers of people he knew had done so; and then, what motive could she have for enticing him to Balooka, when she must have known the tremendous risk to which she was exposing him? She, surely, had no reason to wish to injure him? Surely, surely, not after her words, her looks, her changes of voice and expression, all of which he knew so well! But throughout, and above and below all his thoughts, imaginings, and wonderings, came with recurring and regulated distinctness—What a fool I have been, what a fool, what a thrice-sodden idiot and lunatic! *Now* he knew what the friendly warning of Hastings meant. *Now* he understood Mrs. Polwarth's dislike and Jack's blunt disapproval of that intimacy.

It was easily explained. He had had to buy his experience. He had paid dearly for going to that school. And who were, proverbially,

the people who would learn at no other? Fools, fools, again fools!

The day had passed without his touching the simple food which had been placed before him. At sundown the constable who came to see that his prisoner was all right for the night, pitying his evident misery, and accepting the non-absorption of food and drink as an incontestable proof of first offence, tried to persuade him to 'take it easy,' as he expressed it.

'You've never been shopped before, that's seen. Well, it's happened to many a good man, and will again. Don't go back on your tucker. You've a long ride before you. We shall start back for Ballarat to-morrow. If you get clear, you're all the better for not losing heart. If you don't, it won't matter one way or the other.'

Lance nodded his head. Speech—to talk as he did when he was *that other man*, the man who was a gentleman, free, proud, stainless, who never needed to lower his eyes or

doff his hat to any living being—to him now speech was impossible.

The policeman looked at him, turned again, and shook his head and walked out, locking and bolting the door mechanically.

‘Dashed if I can make out that case,’ said the trooper to himself. ‘Dayrell knows why he arrested that young fellow, I don’t. Any child can see he didn’t stand in with that crowd. They’ve had him soft, selling him a cross horse as any man might have knowed was too good for them to own on the square; but if he gives up the horse they can’t touch him, I should think. He floored Dayrell though, and that’ll go agin him. The sergeant can make it pretty hot for them as he don’t fancy.’

Early next morning, half an hour after a pannikin of tea and a plate of meat surmounted by a large wedge of bread had been placed in his cell, Lance Trevanion was taken out and placed upon a horse. He was helped into the saddle, the feat of mounting in hand-

cuffs being rather a difficult one to the inexperienced captive, as any gentleman may discover by tying his hands together and making the attempt. He was permitted to hold the reins by means of a knot at the end, and, with some limitation, to direct the animal's course. But a leading-rein was buckled to the snaffle, by which a mounted trooper led his horse. Ned Lawless, also handcuffed, was similarly accommodated. One trooper rode ahead, one behind. Neither of the prisoners' horses were such that if they had got loose and essayed to escape, would have had much chance by reason of superior speed. They were leg-weary screws, and were, indeed, nearly due for superannuation, the goal of which would be reached when they had carried (and risked the lives of) a few dozen more prisoners. Dayrell remained behind at Balooka. Possibly he had some reason for the delay, but if so he did not disclose it.

What a different return journey was this

from the commencement of it, when Lance had set out so light of heart, so joyous of mood, his pockets full of money, his credit unlimited, all the world before him, as the ordinary phrase goes ; able to pick and choose, as he supposed, among the world's pleasures and occupations, to select, to examine, to purchase, to refuse, at his pleasure. A good horse under him, the fresh forest breeze in each inhalation exhilarating every pulse as he rode at ease or at headlong speed through the winding forest track. A man, a gentleman, rich, successful, respected, more independent than a king and unlike him, free to come or to go at his own sovereign will and pleasure.

And now, how had a few short hours, a conspiracy, heedless imprudence, and malign fate changed and disfigured him. A prisoner fettered and confined, charged with a grave offence, at the mercy of a severe and unscrupulous officer whom he had been imprudent enough to defy and later on to resist, what might he not expect ?

CHAPTER X

LONG and deadly wearisome was the journey to Ballarat. Necessarily slow, it became insufferably tedious to impatient men who had been used to take counsel but of their own will and caprice. An early start, a late ending to the dragging day's journey, broken but by a short mid-day halt. Such was the order of Lance's return to Ballarat, until, on the fifth day, they saw once more in the distance the smoke of the thousand camp fires and heard the distant surge-like murmur of the army of the Mine.

Wearied and heart-sick, melancholy and furious by turns, Lance Trevanion almost commenced to doubt of his own identity. When they arrived at the camp he found

himself led forward between two troopers and half conducted, half pushed into a cell, the clang of the bolt seeming to intensify the strange unreality of his position. The trooper informed him that his meal would be sent in directly; that he would have to make the best of it with the blankets doubled up for a bed in a corner of the cell until next day. Then he would be brought before the police magistrate, and either discharged or committed, as the case might be.

On the journey Lance had, after his first paroxysm of rage and disgust, abundant leisure to think over and over the facts and probable consequences of his position. He was apparently to be arraigned, if committed for trial, for having in his possession a stolen horse. But could they, could any one prove that he had 'guilty knowledge—that he knew of its being dishonestly come by'? Were not half the horses then sold in Ballarat supposed to be stolen, stolen from the 'Sydney side,' from South Australia, from all parts of

Victoria indeed? He had never known any one tried on such a charge, and had, indeed, thought in his ignorance that laxity about the ownership of live stock was one of the customs of the country, rendered indeed almost inevitable from the absence of fencing or natural boundaries between the immense herds and flocks.

He had not, of course, the smallest suspicion that Pendragon, the horse he had so named in memory of the old Cornish legend, which he had bought from Ned Lawless at a high figure, was other than perfectly 'square,' as Ned would have phrased it. Had he known the truth he would have repudiated the purchase with scorn. But now, to be arrested and marched to gaol with as much formality as if he had taken a horse out of the stable of a neighbouring proprietor in Cornwall, or 'lifted' a flock of black-faced sheep, struck him as truly anomalous and absurd.

Next morning, after a night which came

to an end in spite of his forlorn condition, he found himself making one of a large class of *détenues* who, for one offence or another, were to come up for judgment.

The ordinary charge-sheet of a goldfield is fairly filled as a rule, and at this particular period of the existence of Ballarat as a town a large proportion of criminals of all shades and classes had managed to make it their temporary home. Expirees from Tasmania, where the transportation system had only lately come to an end, had swelled the proportion of habitual criminals. These were daring and desperate men; an inexorable penal system had partially controlled, but failed altogether to reform them. So frequent had been the assaults upon life and property with which this class was credited, that an official of exceptional firmness and experience had been specially selected for the responsible post of police magistrate of Ballarat.

This gentleman, Mr. M'Alpine, generally familiarly and widely known as 'Launceston

Mac,' was credited with using a short and trenchant way with criminals. Presumably a large proportion of his *clientèle* had been at some time or other before him in Tasmania. He had, it was conceded, a wonderful memory for faces, as also for 'accidents and offences.' It was asserted for him that he never met a man under penal circumstances that he could not recognise if encountered twenty years afterwards. It was only necessary in the case of doubtful identity to direct the attendant police to 'turn him round,' which formula was almost invariably followed by the remark, 'Seen you before, my man, on the other side, your name is so-and-so. Six months' imprisonment with hard labour.'

Doubtless in nineteen cases out of twenty the inference was correct, and the punishment just. But there *was* a probability that occasionally the worthy justice was mistaken. Among the hordes of criminals with which he had been officially connected, small wonder if an occasional lapse of memory took place,

and then so much the worse for the accused.

But, as in all comprehensive schemes of legislative repression the individual suffers for the general advantage, so the occasional misdirections of justice, in that era of widespread license which might so easily degenerate into lawlessness, were but lightly regarded as incident to a period of martial law ; and no one gainsaid the fact that the practised readiness, prompt decision, and stern resolve which Mr. M'Alpine brought to bear upon the thousands of cases were of priceless advantage to the body politic and all law-abiding citizens.

It was this Rhadamanthus, before whom so many an evil-doer trembled, that Lance Trevanion found himself compelled to confront. He knew him, of course, by fame and report, as who did not ?—but had never met him, as it happened, personally. He did not doubt however, but that a few words of explanation would suffice to set him free. It was there-

fore with a sense of awakening hope that he obeyed the summons to follow one of the constables to the court-house. This was a large but not imposing building, composed of weather-boards, rude, indeed, and deficient as to architectural proportions. However, it was a great improvement upon the large tent which did duty as a hall of justice in the primitive days of the gold outbreak.

Erect upon the bench, regarding the herd of prisoners, as one by one they came before him, with a stern countenance and searching glance, sat Mr. M'Alpine. His eyes had that fixed and penetrating expression generally acquired by men who have had long experience of criminals. His face seemed to say to such: 'I can identify you, if necessary—I know every thought of your vile heart—every deed of your ruffian life. Don't dare to *think* of deceiving *me* or it will be worse for you—plead guilty if you are wise, and don't insult the court by a defence!'

Long and so sombre had been Mr.

M'Alpine's experiences of every kind of iniquity, of evasion, if not defiance of the law, that it is doubtful if he considered any person ever brought before him to be perfectly innocent. Certainly not, unless conclusively proved by competent witnesses. The *onus probandi* lay with the accused. It is asserted by outsiders that all police officials in time acquire a tinge of the hunter instinct, which impels them to pursue, and, if possible, run down every species of quarry once started, irrespective of guilt. But this, doubtless, is an invention of the enemy.

After the squad of 'drunks and disorderlies' had been dealt with, the names Launcelot Trevanion and Edward Lawless were called; 'the prisoners' were ordered to stand up.

A novel experience, truly, for the heir of Wychwood. The court was crowded. It had somehow leaked out that Trevanion, of Number Six, Growlers', had been 'run in' by Sergeant Dayrell for horse-stealing. The

news had not yet got as far as the Gully proper—the time not having allowed. But every ‘golden-hole’ man was pretty well known on the ‘field,’ and Lance was a prominent personage, by repute, in the mining community.

‘What the blazes has a chap like that any call to shake a horse for—that’s what I want to know?’ inquires a huge, blackbearded digger. ‘Why, they say he’s worth forty or fifty thousand, if he’s worth a penny, and the claim washing-up better and better every week?’

‘He never stole no moke,’ returned his companion decisively, ‘no more than you or me prigged the post-office clock, that’s just been a-striking! He’s a free-handed chap with his money, and that soft that he don’t know a cross cove from a straight ‘un. He’s been had by Ned Lawless and his crowd. That’s about the size of it.’

‘They can’t shop him for that, though,’ said the first man, contemplatively filling his

pipe. 'They say he was riding a crooked horse when he was took. Kate Lawless was with him on another. The yard was half-full of horses the Lawlesses had worked from hereabouts. It looked ugly, didn't it?'

'Looked ugly be blowed!' said his more logical and experienced friend. 'Things is getting pretty cronk if a chap can't ride alongside a pretty gal without wanting to see a receipt for the nag she's on! I believe it's a plant of that beggar Dayrell's. He wants a big case, and that poor young chap may have to suffer for it.'

'Dayrell wouldn't do a thing like that, surely,' exclaimed the first speaker in tones of amazement. 'Why, it's as bad as murder, I call it. What's to become of a swell chap like him, if he's lagged and sent to the hulks?'

'There's devilish few things as Dayrell *wouldn't* do, it's my opinion, if he thought he'd get a step by it,' replied his friend. 'But this cove's friends 'll make a fight for it. They'll have law. They've got money,

and so has he, of course. 'They'll have a lawyer from Melbourne.'

It did not appear at first as if there was much danger to be apprehended as far as Lance was concerned. Directly his case was called, he stood up and faced the Bench and the expectant crowd with a stern expression—half of defiance, half of contempt.

'May I say a few words in my own defence?' he commenced. 'I am certain that a short explanation would convince the Bench that any charge such as I am called upon to answer is ludicrous in the extreme.'

'We must first have the evidence of the apprehending constable,' said the police magistrate decisively, 'after which the Bench will hear anything you have to say.'

'But, your worship, I wish to speak a few words before.'

'After the evidence,' said the P.M. sternly. 'Swear Sergeant Dayrell.'

That official strode forward, stepping into the vertical pew which is placed for the

apparent *in-convenience* of witnesses, by adding to their natural nervousness and trepidation the discomfort of a cramped wearisome posture. To him, at least, it made no difference. Cool and collected, he made his statement with practised ease and deliberation, as if reading an oft-recited passage out of a well-known volume, watching the pen of the clerk of the Bench, so as to permit that official to commit to writing correctly his oft-fateful words. They were as follows—

‘My name is Francis Dayrell, senior-sergeant of police for the colony of Victoria, at present stationed at Growlers’ Gully. I know the prisoners before the court. On Friday the 20th September last, from information received, I proceeded to a digging known as Balooka, situated in New South Wales, and distant about one hundred and seventy miles from Ballarat. I arrived on Monday evening the 23d, and proceeded to the camp of the prisoner Edward Lawless,

whom I arrested by virtue of a warrant, which I produce. It is signed by a magistrate of the territory. In a yard close to the prisoner's camp I found a large number of horses, several of which I at once identified as being stolen from miners at Ballarat, or in the vicinity. Others appeared to have brands resembling those of squatters in the neighbourhood. The prisoner Lawless was unable to account for his possession of these, or to produce receipts. He was about to leave for Melbourne, I was informed, in order to sell the whole mob. I arrested him and his cousin Daniel, and charged him with stealing the horse named in the warrant. While he was in custody I observed the other prisoner, Launcelot Trevanion by name, riding towards the camp in company with a young woman. She was riding one horse, and leading another. When he came up I identified both the horse he was riding and that of his companion as stolen horses, both of which have been advertised in the *Police Gazette*. I produce the *Gazette*

wherein the brand and description correspond. I charged the prisoner with receiving a certain bay horse branded H. J., well knowing him to be stolen, and arrested him. I then conveyed the prisoners to the gaol at Ballarat East, where I confined them.'

This evidence—which even Lance admitted to himself placed matters in a more unfavourable light than he could have supposed possible—being read over, Mr. M'Alpine said, 'Have you any question to ask the witness?'

'Yes, your worship,' answered Lance, bringing out the last two words with apparent difficulty.

'You are aware that I had the bay horse in my possession for some weeks at Growlers', and rode him openly there?'

'Yes, certainly.'

'Then why did you not arrest me there?'

'I had my reasons, one of which was that I had not received an answer from Mr. Jeffreys—the breeder of the horse.'

'Was that with reference to the hundred

pound reward offered on conviction of any one proved to have stolen one of his horses?’

‘No!’

‘That reward did not actuate you in arresting me on a charge of which you must know that I am innocent, if you have watched my conduct at all?’

‘I *have* watched your conduct, and know you to be an habitual associate of the Lawlesses, who, as a family, are known to be among the most clever horse and cattle stealers in New South Wales. I have known you to make a practice of gambling with them for large sums. It has been stated to me that you have lost as much as five hundred pounds to them at a sitting.’

‘Did you not know that I had come straight from Ballarat when I rode up to the camp at Balooka?’

‘I am not in a position to state where you came from. I saw you ride up with Kate Lawless, in whose company I have repeatedly seen you. On this occasion you and she were

in possession of three horses—all stolen property—the one she rode, the one she led, and the horse you rode.’

‘How could I know that the horse I bought from Ned Lawless was stolen? He did not know, I believe, or he would not have sold it to me, I am sure.’

‘That you will have to explain to the court,’ returned the sergeant, with pitying contempt.

‘Good God! Did I look like a guilty man when you arrested me?’ exclaimed Lance, in a tone which had an echo of despair as plank by plank he felt his defence foundering, as it were, at every cold and sinister answer of this relentless foe.

‘You made a most violent resistance,’ replied the sergeant calmly, ‘of which my face still bears the mark. I don’t know whether that is to be taken as a proof of your innocence.’

‘I appeal to your worship,’ exclaimed the unfortunate accused as a nameless terror stole

over him—such as Quentin Durward may have experienced when Tristan L'Hermite and Petit André were about to attach him to the fatal tree—lest, ignorant of all legal forms, he should be tried and condemned before he had a chance of exculpation. ‘I appeal to your worship to permit my case to be adjourned, in order that I may bring witnesses who can prove my innocence, and also that I may obtain legal assistance. Surely you cannot sit there and see an innocent man wrongfully condemned. Though a miner, I am a gentleman of good, indeed ancient family; an act such as I have been accused of is, therefore, impossible to me. For God’s sake, permit me an adjournment!’

The magistrate’s face was impassive. His nature was probably not less compassionate than that of other men. But long familiarity with crime, long official acquaintance with every variety of villainy, had indurated his feelings to such an extent that but little trust in human nature, as ordinarily displayed within the precincts of his court, had survived. No

doubt this young fellow looked and spoke like an innocent man ; but how many criminals had looked and spoken likewise ? The wholesale stealing of miners' and squatters' horses—now worth from fifty to a hundred pounds each in the Melbourne market—had reached such a pitch that the miners had declared their intention to shoot or lynch any future 'horse thieves,' as the American miners called them, if justice was not done them by the Government. Mr. M'Alpine had this in his mind at the time, and, with all proper respect for the rules of evidence, had come fully to the conclusion that it was high time that an exemplary sentence should be passed upon the very next culprit caught 'red-handed' ; he therefore made no reply to the passionate appeal of the unlucky prisoner.

'Read over the evidence,' he said, in a cold voice, to the clerk of the court. .

That official with colourless accuracy read out Dayrell's damaging statement on oath, as well as Lance's questions thereupon, which, as

generally happens to the accused who essays his own defence, had injured rather than aided his case.

‘Do you wish to ask the witness any other question?’ he inquired, in a tone which would have led a bystander to think that the process was a pleasant interchange of ideas between gentlemen, which any prisoner might enjoy.

‘No; certainly not, but I should like to say——’

‘I understood you to apply for an adjournment, for the purpose of calling witnesses and employing a legal practitioner?’

‘Certainly I did, but I wish——’

‘The prisoner stands remanded to this day week at 10 A.M. Bail refused. It is understood that any authorised person is not to be denied access to him. The court stands adjourned till ten o’clock to-morrow morning.’

As this closed proceedings, the police magistrate walked slowly forth, leaving Lance to be re-conducted to prison, with, however, permission to see all friends and legal advisers.

Before the proceedings closed the sergeant had made a formal request for the adjournment for a week of the case against Edward Lawless, assigning as a reason that he was not fully prepared with the necessary evidence. This had been assented to : both prisoners were then marched back to gaol, and being locked up in separate cells, were left to their reflections.

From the sound of whistling and even singing which proceeded from the apartment occupied by Mr. Edward Lawless, the penalty of imprisonment did not appear to fall heavily upon his elastic spirits : the iron had not entered into his soul in any marked degree. But far otherwise was it with Lance Trevanion, He had buoyed himself up with the idea that he would only need to make a short explanation to the magistrate, and that he would be immediately set at liberty. In this expectation he had been bitterly disappointed. So far from his release being an easy matter, it seemed as if a fresh element of doubt, a dismal dread,

undefined yet ominous, had been introduced into the affair. Would he perhaps *really* be convicted and sentenced? The idea was maddening, but innocent persons had been found guilty before, if some of the tales which he had heard were not untrue. Why not again? This was a strange country. He had been deceived and thoroughly duped, as he could not help confessing to himself. Might he not find himself yet more fatally mistaken in all his conclusions?

Seated on the floor of his cell, he rapidly fell into a state of semi-stupor as these sombre imaginings coursed through his brain, sometimes slowly and with saddest procession, at other times with almost delirious haste. Was he indeed Lance Trevanion, the free, fearless traveller of a week since? It surely could not be! What was he to do next? Life or liberty, which came to the same thing, was surely worth fighting for. He must have legal assistance if it were possible. There was hardly a lawyer in Ballarat that was *practis-*

ing his profession. A sufficient number there abode doubtless, but they were all in the year 1852 engaged in mining. After a while the ebb of adventure set in, on which a return took place to nearly all the professions. But in the spring of 1852 the golden tide was at flood-mark. It was hard to find any man in the place or position which he had formerly held.

From this mood of doubt and despair Trevanion was aroused by steps in the corridor and the opening of the door of the cell. He had but scant time to rise and stand erect when Hastings and Jack Polwarth entered—the latter with an expression of alarm and astonishment that but for his evident sincerity would have been ludicrous.

‘Why, Mr. Lance—Mr. Trevanion,’ cried Jack, in tones of subdued horror, ‘whatever has come to ye, that they have had the face to do this? Can they stand by it, think ye, Mr. Hastings? Locking up a gentleman like Mr. Lance here and makin’ oot as he’s stolen

a trumpety 'oss, him as wouldn't do the like for a Black Forest full of 'em. It's fair murder and worse—all the gully's talking on it, and I could fetch a hundred Cousin Jacks and Devon lads as'lld pull the place about their ears if you'd but say the word, Mr. Lance ?'

'I'm afraid that would do no good, Jack,' said Hastings, whose concern, not so freely expressed, was as deep and sincere as that of Lance's faithful partner. 'I see no reason though, Trevanion, why you shouldn't be out in a week. However, all this is deucedly annoying and vexatious. Still we must be patient. Queer things happen on a goldfield. You remember my plight when first we made acquaintance ?'

'Annoying!' replied Trevanion, slowly turning his frowning face, in which the lurid passion-light of his gloomy eyes had commenced to burn. 'Why in the world should I have been selected by Providence for this damnable injustice ? I feel already as if I was disgraced irrevocably. How can I ever show my face

among my equals again after having been arrested, handcuffed, charged with felony, locked up like a criminal? Great God! when I think of it all I wonder why I don't go mad!'

'It's no use getting excited over it,' said Hastings. 'The thing is to *do* all that we can, not to think or talk about it overmuch. Stirling will be here to-morrow. He could not come to-day, but will leave his bank before the stars are out of the sky to-morrow, and will be here by breakfast-time. He could not come to-day because of business. We will see about your witnesses and manage to get a lawyer up from Melbourne in time. Keep up your spirits. There are dozens of men, and women too, that can prove an *alibi*. If my claim was as good as yours I'd swap places cheerfully with you.'

'Don't be too sure of that,' returned Lance with a sardonic smile. 'I have a kind of pre-sentiment that evil will come of this business. Why, I know not, but still the feeling haunts

me. Well, Jack, we never thought of this on board the *Red Jacket* when we were so jolly, eh?’

‘Just to think of it,’ exclaimed Jack, with the tears running down his honest face. ‘And never a Trevanion in a prison before since that king—I can’t mind his name—shut up one of them in the old Tower of London and cut his head off. But that was dying like a gentleman—that ever I should have lived to see this! I could never show my face at Wychwood or St. Austell’s again.’

‘Why, Jack, you’re about as foolish as your—master, I was nearly saying—as your mate there, at any rate. Why, Lance is not even committed for trial. All sorts of things may happen in the meantime. *Must* happen, *must* happen. Now, we must say good-bye, Lance. I’ll send you in some books. I don’t see many about. For God’s sake, keep up your spirits.’

The time fixed for the remand having expired, Lance and his fellow-prisoner, Ned

Lawless, were brought up for their preliminary trial. All necessary arrangements had been completed ; no further reason existed for delay either on the part of the Crown or of the prisoners.

The sergeant was quite ready with his witnesses ; Stirling and Hastings had secured the services of the celebrated Mr. England, the great criminal lawyer, about whose capacity the general miners' opinion, as expressed on the occasion, ran thus : ' Well, if England don't get him off, nobody will.'

These important preliminaries having been settled, the crowd waited with impatience mingled with a certain satisfaction that so important a trial was really to come off and not to be strangled in its infancy, like many promising legal melodramas to which they had looked forward. There would be no mistake about this one at any rate. Sergeant Dayrell had come down in full uniform from the camp at an early hour. The show would be on soon after the clock struck ten.

At that hour punctually Mr. McAlpine took his seat upon the bench. In five minutes the court was crowded. After the ordinary business two men were marched in with a policeman on either side and placed in the dock. They were Lance Trevanion and Edward Lawless. The latter looked calmly around at the crowd as if there was no particular occasion for seriousness of mien. His mental attitude was easily comprehended by those of his compatriots who were present, whatever might be thought by the emigrant miners who were so visibly in the majority. Ned had played for a heavy stake—he had staked his liberty on the hazard and lost. If he had won there was a matter of two or three thousand pounds—indeed more—in the pool. That would have set him up in a decent-sized cattle station capable of indefinite development. It was a fair risk. He had taken it knowingly and with his eyes open. Now that he had lost, as the cards had been against him, there was nothing for it but to pay up. It would be

three years' gaol, or perhaps five at the outside.

When Lance Trevanion stood up in the dock, confronting squarely the assembled crowd and the Bench, an almost audible shudder, accompanied by a species of gasping sigh, passed through the court. Quietly but correctly dressed, access having been possible to his raiment at Growlers', he looked thoroughly a gentleman, a man of race and gentle nurture. As he stood, calm and impassive, with a steadfast unflinching gaze, the most suspicious person, however permeated with universal distrust, could not have connected him with the meaner crimes. In a half-smile, haughty and grimly humorous, his features relaxed for a moment as he met the sorrowful gaze of Mrs. Polwarth. Then he drew himself up to his full height and awaited the first act of the drama in which he played so important a part.

The curtain was not long in rising. The clerk of the court stood up and read out the

evidence of Senior-Sergeant Dayrell, taken at the first hearing of the case, as also the order of adjournment signed by the police magistrate. A stoutish dark man, with a mobile face and direct clear glance, stood up and said, 'May it please your honour, I beg pardon, your worship, I appear for the prisoner, Launcelot Trevanion.'

'By all means, pleased to hear it, Mr. England. Sergeant Dayrell, your first witness.'

'Call Herbert Jeffreys,' and in answer to the stentorian call outside of the court a gentlemanlike man with a bronzed countenance and of quiet demeanour stepped into the witness-box. On being sworn, he deposed as follows: 'My name is Herbert Jeffreys, I am a land-holder and grazier, residing at Rest-down, which is distant about one hundred and twenty miles from Ballarat. I have seen a bright bay horse with a star, outside of the court, branded "H. J.," which is our station brand, at least for all horses and cattle running on the Campaspe. I swear to the horse

as my property. He has been missing for nearly twelve months. I am perfectly certain it is the horse, and cannot be mistaken. I notice a slight cut inside of the hock, which was the result of an accident. I never sold him or gave prisoner or any other person authority to take him. He is a valuable animal, worth between eighty and a hundred pounds, as prices go. We have had a large number of horses stolen during the past year.'

Cross-examined by Mr. England : 'We had more than two hundred horses before the diggings. We have offered a hundred pounds reward for the conviction of any person found stealing our horses or cattle. It was a measure of self-defence. We should soon not have had one left. Do not consider it an inducement to the police to make up imaginary cases. If people do not steal our horses the reward is a dead-letter. If they do, they deserve punishment. I never saw the prisoner Trevanion before. If I had, I should probably not have been here to-day.' (Asked why.)

‘Because any one can see that he is a gentleman, and doubtless unused to this kind of work. I have no doubt that he purchased my horse without suspicion that he had been stolen. Can’t say whether or not the horse has been in the pound since I saw him last.’

Trevanion looked over at the witness as he spoke thus with a frank expression of gratitude, while Mr. Jeffreys, having descended from the witness-box and signed his deposition, sat down in a chair provided for him to watch the trial.

The next witness called was Carl Stockenstrom. ‘My name—ja wohl—I am a dikker from Palooga. Haf been dere all der wege more ’an dree months. On Thursday neuntzehn Zepdember, I saw de brisoner at the Gemp’s Greek, ten mile from der Palooga. He was ride mit de fräulein Lawless. He ride not the horse outside de court. It was anoder. They was having one fine lark. She can ride—she ride like nodings dat I never shall see. I

swear positif to de prisoner, his face, his figure, above all dings to his eyes.'

Cross-examined by Mr. England: 'I have lost a good horse myself. I did not advertise him in the local baper. Many of my mates lost theirs. I did not think it worth while. The two were driving some horses when I see dem. I saw two of them in Ned Lawless's yard, and was told they was sdolen. Police dook dem away mit de oders anyways.'

'Call Hiram Edwards.'

A gaunt American miner stalked forward, and with characteristic self-possession stepped into the witness-box.

'Diggin' at Balooka? Yes, sir; followed the first rush. Heard talk of hoss-thieves among the boys; advised to hang the first man caught riding a wrong horse, just to skeer other critters. Worked well in San Francisco, that simple expedient. Do not know prisoner personally, but saw a man durned like him on Friday, 20th September

last. in company with that skunk, Ned Lawless, trading horses.

‘Lost no horse? No, sir; know too much to keep one on a placer workin’. Sold mine same day I struck the gulch.’

Cross-examined by Mr. England: ‘Hev a sorter dislike to swear positively to prisoner as having been in company with Lawless on that Friday. To the best of my belief he was the man. (Has the prisoner any objection to look at me for a moment.)’ Then Lance turned suddenly and looked at the witness with a determined and sternly interrogatory expression. The witness changed front noticeably. ‘I now swear to the prisoner as the man I saw with Lawless on Friday; positively and plum-centre. Know his eyes anywhere. First day I saw him was the Wednesday before. He and Lawless both carried stock-whips.’

Senior-Constable Donnellan deposed: ‘I am a mounted trooper, at present stationed at Balooka. I know the prisoner, and have been

observing him closely at Balooka for the last three weeks. Frequently saw him in company with Edward Lawless and his sister. As they were suspicious characters, or, at any rate, had a name for finding horses that were not lost, I thought it my duty to watch them.

‘On the morning of Wednesday, 18th instant, I saw Lawless and prisoner ride out early from the former’s camp; they went for some miles up a gully, and on reaching the top, where there is a small plain, I saw two men meet them with a small lot (ten, I believe) of riding horses. They drove them to the camp and put them into a yard. I have ascertained that nearly all of them were stolen, and have since been identified by miners. Saw prisoner several times with Kate Lawless at Balooka; am certain that prisoner is the same man. Sent a messenger to Ballarat express to communicate with Sergeant Dayrell, who came over and arrested both prisoners.’

By Mr. England: ‘Took particular notice

of prisoner's appearance—prisoner is tall and broad-shouldered, with dark curly hair and dark complexion. Has no ill-will against prisoner, Trevanion. If it is sworn that prisoner was in another place, near Ballarat, at the time mentioned by me, would not believe it. It was impossible, unless a man could be in two places at once. Never spoke to prisoner at Balooka but once; noticed that he had remarkable eyes. Was at the Lawlesses' camp when he rode up with Kate Lawless; had seen him leave Balooka with her early that morning. He was riding the horse prisoner led back. Can't account for prisoner returning with a different horse and saddle, unless he "shook" it. Beg the Bench's pardon—meant he may have picked it up on the road. Thought prisoner looked slightly different, and was differently dressed. Spoke differently, a little, not much. Attributed this to seeing the Lawlesses, Ned and Dan, in the hands of the police when he returned; and was dressed differently from what he had on

in the morning ; had several times noticed him change his dress more than once in a day. Would swear to the prisoner ; would know him by his eyes and general appearance anywhere.'

Several other witnesses — miners, stock-riders, and small farmers — were examined. They swore to ownership of various horses found in Ned Lawless's 'mob' or drove, now in charge of the police.

'Is that your case, sergeant?' inquired the police magistrate, when the last of these witnesses had, at some personal inconvenience, signed the depositions. 'I have but one other witness, your worship,' answered Dayrell, with an air of great deference, 'rather a material one, however. Call Catharine Lawless.'

From whatever cause, the utterance of this witness's name produced a profound and universal sensation in the crowded court. Every miner knew that the young Englishman had foolishly, as most people thought, — very naturally, in the opinion of others, — admired

the girl, and made no secret of his feelings. For what reason was she now to be called as a witness for the Crown? Had she turned traitress? Would she betray her sweetheart in the hour of his peril? Far from immaculate, vain, violent, and reckless as she was, the girls of her class and country were proverbially as true as steel to their lovers—clinging to them more closely in adversity, ready even to stand by them on the scaffold if need were.

CHAPTER XI

‘CATHARINE LAWLESS!’ Thrice was her name called outside of the court, as by law directed. As the echo of the last summons died away, a tall woman closely veiled issued from a side door and walked composedly over to the witness-box. Every eye was directed towards her; no sound was audible, save some involuntary exclamation as the most sensational character of the *corps dramatique* appeared on the stage. Quietly and becomingly dressed, *bien gantée* and in all respects accurately finished as to each personal detail, she moved forward with an air of haughty indifference to her surroundings, including the court, prisoners, and spectators. These last might have deemed that she was some interesting stranger, an

eye-witness by chance of deeds concerning which she was compelled to testify.

‘Swear the witness,’ said the magistrate, as the book was placed in her right hand, ‘and will she be pleased to remove her veil?’

Thus admonished, the girl threw back her veil with a half-petulant gesture, and touching the sacred book lightly with her lips, as the solemn formula was recited, gazed around the court with an air of insouciance apparently as unstudied and natural as if she had come direct from Arcadia.

For one moment her clear gray eyes, unheeding every other creature in the crowd of spectators, rested on the two men in the dock. Those who knew her—and there were many such in the congregation—looked eagerly for some softened expression, some sign of regret, as might any woman wear when beholding her lover and her brother in the place set apart for felons, who knew them to be charged with a serious offence, and liable to years of degrading imprisonment, from which, perchance, a word

from her lips might save one—might even alleviate their lot—so great is the sympathy felt for the power exercised by a handsome woman, even in the temple of justice.

Those who thus reasoned were doomed to disappointment. Her gaze passed coldly over her brother's lounging form and tranquil features, but when she encountered the stern interrogation which was written on the frowning brow and set lips of Lance Trevanion, she drew back for an instant, and then slightly raising her head and drawing herself up, an action which displayed to perfection the symmetrical moulding of her figure, returned his regard with a glance as fierce and unfaltering as his own. For one moment only did the mental duel appear to last, for one moment was each antagonistic electric current propelled along the mutual course. Then, with an impatient gesture, she turned half round and awaited the official questioning.

The oppressive silence which up to that moment had pervaded the court ceased, as

by a broken spell, and comments were audible to those immediately around the speaker, more than one of which went as follows—

‘She’s going to swear up, you bet your life. Never saw a woman look like her that didn’t. Sooner have her on my side than against me, that’s all *I* know.’

‘Dayrell’s been working a point to set her against him, that’s where he’ll score the odd trick, you’ll see,’ observed his equally philosophic friend. ‘She’s been dead nuts on that new chum, that’s why she’s thirsting for his blood now. I think I knows ’em.’

‘What is your name?’ commenced the sergeant, who in the preliminary examination was, as the police officer in charge of the case, permitted to officiate in Courts of Petty Sessions as Acting Crown Prosecutor. ‘Catharine Lawless.’ This answer was given in a low but distinct voice. ‘You are the sister of Edward Lawless, one of the prisoners now before the Court; and you have been residing

with him at Balooka, and recently at Growlers' Gully ?'

'Yes. We have all been living with him since father died.'

'Just so. And you know the other prisoner, Launcelot Trevanion?' Here the sergeant feigned to examine his note-book, ostensibly to refresh his memory, but really in order to afford witness and prisoner opportunity to look at each other. Also that the court, the spectators, the magistrate, and lastly he, Francis Dayrell, might appreciate their mutual discomfort.

This Mephistophelian design was set at naught by the self-possession of the witness, who after one glance, brief as the jagged lightning and as scathing, answered deliberately—'Yes, I do know Lance Trevanion, *I know him well.*'

There was not much in this apparently harmless Saxon sentence, chiefly monosyllabic, but those who were close enough to hear the last words thrilled for long days after as they

recalled the concentrated venom with which they were saturated.

‘When you say you know the prisoner, Trevanion, well,’ queried Dayrell, with an air of respectful interest, ‘you mean, I suppose, that he was a great friend of your brothers, and of the family generally. Your brother Dan, your cousin Harry, and his sister Tessie—you are rather a large family, I believe—were all friendly towards him, as he to you?’

‘Yes; very friendly; we all thought no end of him.’

‘Of course, of course; most natural on your part and his. He was often at your camp, at Growlers’. Used to play a game or two of cards sometimes with your brothers—a little euchre—eh?’

‘Yes; I believe so.’

‘You believe so? Don’t you know it, Miss Lawless? Were not the stakes rather heavy sometimes?’

‘They may have been. I never played for

money. The boys may have had a gamble now and then.'

'Really, your worship,' interposed Mr. England, 'I can't see what these trivialities have to do with the case. The witness is an extremely prepossessing young woman—outwardly. We admit at once that she exercised a certain fascination over my client. Why shouldn't she? *Nemo omnibus horis sapit*, etc., particularly on the diggings. But the sergeant, apparently, will proceed to ask her if she ever sewed on a button for my client, and I appeal to your worship, if we are to sit here all day and listen to this mode of examination?'

'I must ask your worship's permission to conduct the case in my own way,' returned the sergeant. 'I guarantee that these apparently trivial details are of material importance to the case.'

'You may proceed, Sergeant Dayrell. I trust to you not to encumber the depositions with needless details.'

‘I shall bear in mind your worship’s directions; and now, Miss Lawless, please to attend to me, and be careful in answering the next question.’ Here he fixed his eyes meaningly upon her countenance.

‘You remember the evening of Monday, the 23d of this month, when I saw you ride into your brother’s camp at Balooka, in company with the prisoner, Trevanion?’

‘Yes; I do.’

‘Had he been with you and Ned at Balooka for some time previously?’

There was a pause after the sergeant’s measured and distinct words sounded through the court, and the witness trembled slightly when they first reached her ear. Then she raised her head, looked full at the two prisoners in the dock, and answered—

‘Yes; he had.’

As the words left her lips, the face of Lance Trevanion worked like that of a man about to fall down in a fit. His eyes blazed with wrath and unrestrained passion. Wonder and scorn,

anger and despair, struggled together in every feature, as if in a stage of demoniac possession. Placing his strong hand upon the rail of the dock, he shook the stout structure until it swayed and rattled again.

‘You lie, traitress!’ he said, in vibrating tones. ‘I never saw Balooka before that evening, and you know it. Your words—like yourself—are false as hell!’

‘I submit, your worship, that the witness must be protected,’ Dayrell made haste to interpose. ‘If she is to be intimidated, I cannot guarantee her most important evidence.’

A curious phase of human nature is it,—well worthy of the attention of physiologists, but none the less known to those in the habit of attending criminal courts,—that you may with tolerable certainty detect a man deliberately swearing falsely when giving evidence on oath. Villain as he may be,—scoundrel of the deepest dye,—even *he* does not altogether enjoy the sensation of, in cold blood, commit-

ting perjury before a crowd of comrades, every one of whom knows that he is forswearing himself. Thus feeling, there is generally some token of uneasiness or shamefacedness by which the experienced magistrate or judge, and most certainly his friends and fellows, can perceive his perjury.

But, strange and mysterious as it may seem, *it is not so* in the case of a female witness. She may be deposing to the truth of the most atrocious falsehood, to what the greater part of her hearers, as well as herself, *know to be false*, and not the quiver of an eyelid nor the tremor of a muscle reveals that she has called upon the Supreme Being to witness her deliberate betrayal of the truth. For all that can be discerned in the countenance—in her mien and manner she may be clinging to the truth with the constancy of a martyr.

There was a murmur in the court from more than one voice as Lance Trevanion's heart-felt exclamation burst forth. This being promptly suppressed, the magistrate, with a

more sympathetic tone of voice than he had as yet used, 'requested the prisoner not to injure his case by intemperate language. Possibly the outburst of conscious innocence, the Bench admitted, but he would warn him, in his own interest, to reserve his defence till the evidence was completed.' Lance apparently saw the force of his argument, for after one withering glance at the witness-box, he bowed his head without speaking, and resigned himself apparently to listen unmoved to all further statements.

'Did you—now consider carefully and *make no mistake*'—here the sergeant fixed his eye sternly, even menacingly, upon the girl, who stood calm and resolved before him—'did you know of your own knowledge that the prisoner, Trevanion, met your brother Ned at the Swampy Plain tableland and assisted him to drive certain horses into the yard?'

The girl looked again across to the figures in the dock, neither of whom apparently saw her, as they, by accident or otherwise, had

averted their faces. Then a mysterious darksome look of pride and revenge came over Kate Lawless's face as she coolly scrutinised them both. Slowly she answered—

‘Yes; I was at home when he and Ned came in from Swampy Plains with ten horses and put them into the yard.’

‘You swear that?’

‘Yes,’ looking her interlocutor full in the face. ‘Yes, I swear that.’

Her face as she pronounced the words grew fixed and more intense of expression. She changed colour, then gasped for breath, staggered, and before any man near her was quick enough to intercept her swaying form, fell, as one dead, her full length upon the floor.

‘The strain has been too great for her, she has fainted,’ said the sergeant. ‘The witness is unable to bear further cross-examination at present. Your worship must see that. I pray for a remand of the prisoners, and will undertake that the witness appears to-morrow

at ten o'clock and submits herself to the cross-examination.'

'No doubt,' said the magistrate, 'the position is most distressing, but I shouldn't have expected Miss Lawless to faint on any occasion. However, she is certainly not in a state to bear more of the witness-box to-day. The prisoners stand remanded till to-morrow morning at ten o'clock.'

The unwilling crowd gradually left the building, when much various comment arose as to the guilt or otherwise of the accused.

'Wait till England gets at that Kate Lawless,' said a digger, 'he'll turn her inside out. I don't believe half of what she says. She's gone back on Trevanion for some reason or other; now she'd hang him if she could. That's a woman all over.'

'Serve him right for havin' no more sense than to go runnin' after a bush filly like her instead of minding his business. It'll learn him better if he gets lagged over the job; it looks bad for him, now, don't it?'

‘It’s dashed hard lines, I say,’ answered his mate, ‘that a fellow should get jugged just for a bit of foolishness-like, as none of us are above now and then. I’ll never believe he knew that bay horse wasn’t square, and it’ll be a burning shame if he gets into it.’

.

The day and the hour arrived. Again the crowded court—friends, foes, strangers, and acquaintances, all were there. Lance’s friends from Growlers’ mustered in force—Mr. Stirling, Jack Polwarth, Mrs. Polwarth, and poor Tottie, who stretched forth her little hands with a piteous gesture and then burst into tears as she saw her friend Lance placed in the dock and shut in. The crowd was visibly affected by this little incident, and more than one woman’s tears flowed in unison with Mrs. Polwarth’s, who bent her head down and sobbed unrestrainedly. When Kate Lawless, pale but composed, appeared and took her place in the witness-box a menacing murmur ran through the crowd,

and sounds ominously like hisses made themselves audible. These were quickly repressed as Mr. England, stepping forward, commenced his cross-examination.

Fixing his eyes searchingly upon the girl's defiant face, he thus began—

‘You said, I think, in your examination in chief that you knew the prisoner, Trevanion, well?’

‘Yes ; so I did.’

‘Now, when you say you knew him well, do you mean us to believe that you were only ordinary friends and no more?’

‘I mean what I said ; we were very friendly—all the time we were at Growlers’.

‘That's all very well, but I must have more. You know something of life, Miss Lawless, though you've lived in the bush all your days. Now didn't this unfortunate young gentleman make love to you?’

‘Well, I suppose he did.’

‘And you returned it, or gave him to understand that you did?’

‘I did like him very much. There was no reason why I shouldn’t, was there?’ Here Miss Kate looked coolly at the barrister, who, trained gladiator as he was, doubted whether he had ever had to deal with a keener antagonist.

‘I am not here to answer questions,’ he said, very gravely. ‘You are to reply to mine, as his worship will tell you.’

‘Then I am to understand that you and he considered yourselves sweethearts (as the familiar expression goes) when you were at Growlers’?’

‘Yes, and afterwards.’

‘And you have had no quarrel or misunderstanding?’

‘No; none at all.’

‘You wish his worship to believe that?’ said the barrister, in sterner tones. ‘To believe that you come here prepared to swear at the dictation of Sergeant Dayrell everything that he puts into your mouth which can tell against this unfortunate young

man — your sweetheart, as you have admitted?’

‘I don’t care whether you believe it or not. It’s the truth.’

‘And your feelings have not changed towards him? Will you swear that?’

The girl hesitated. Her face flushed, then paled, her bosom heaved. She placed her hand upon her heart as if to still its beatings.

‘No,’ she answered, with a changed voice; ‘I won’t swear that.’

‘Thank you, Miss Lawless. I will not trouble you with further questioning. That admission gives the key to the more important points of your evidence.’

As the girl moved back from the witness-box she was stopped by one of the constables and requested to sign her deposition. It was noticeable then that her hand trembled so that she could hardly hold the pen. She made this an excuse for requesting the clerk to write her name, to which she affixed her mark, as in such case made and provided.

The case for the Crown being closed, Mr. England proceeded to call the witnesses for the defence. The first name was that of Charles Stirling. He came forward with a firm, confident air, tempered with respect to the court. Placed in the witness-box, his evidence was to this effect—

‘My name—Charles Stirling, manager of the Growlers’ Gully branch of the Australian Joint-Stock Bank. Have known the prisoner, Trevanion, intimately since his occupation of Number Six claim. Have a high opinion of him as a man of honour and a gentleman. Remember him purchasing the bay horse now proved to have been stolen from Mr. Jeffreys. Was consulted as to the purchase. Advised him then to be careful about Lawless’s receipt, and to satisfy himself from whom he (Lawless) had purchased the animal. Trevanion was unwilling to believe anything against the Lawless family, and was not a man to be guided by others. As far as he knew, he was scrupulously upright and honourable.

He (Stirling) was never so surprised at anything in his whole life as when he heard that Trevanion was in the hands of the police. There must be a mistake somewhere. Prisoner had a large balance to his credit in the Joint-Stock Bank. There could be no motive for saving a paltry fifty pounds by purchasing a stolen horse. If it was sworn that Trevanion had been seen at Balooka on the 19th September or previously, that statement was false, as on that day he had been all the morning at the Joint-Stock Bank disposing of a parcel of gold, seeing it weighed, and the money placed to credit.'

Cross-examined by Sergeant Dayrell: 'He was as certain that Trevanion was at his bank at Growlers' on Thursday as that he himself was at court now. Any one who swore otherwise was deceived, or else had reasons of their own for committing perjury. He did not intend to be other than respectful to the court, but felt so strongly in this matter that he could scarcely control his words. Was

not aware, of his own knowledge, that Trevanion was in the habit of gambling with the Lawlesses for heavy stakes. May have heard something of the sort. Most of the young men at the diggings played a little; it afforded a relief to the monotony of their lives, and they (as far as he knew) never went very deeply into it. Was a friend—he might say a particular friend—of prisoner's. He and his mate, Mr. Polwarth, were customers of his bank. Neither had ever owed his bank money, they were always depositors.'

John Polwarth, sworn: 'Was mate and partner in "Number Six, Growlers'" with Mr. Trevanion. Had known him in England. Came out in the same ship. Could swear that he never knew the horse "Pendragon" was stolen. He was a gentleman, and couldn't steal a horse if he tried ever so hard; or buy a stolen one, knowingly. He had been with Mr. Trevanion at the bank all the morning of Thursday, 19th inst. Mr. Stirling was there, and a clerk.'

‘Was he sure it was him?’

‘Was he sure the judge was on the Bench now?’

‘How did he explain the fact of prisoner Trevanion being seen at Balooka on Wednesday, 18th, and previously?’

‘Only by believing it to be “a straight lie,” or that the witness saw some one very like Trevanion.’

‘Very like Trevanion?’

‘Very like.’

The witness appeared to be recalling something in his mind.

‘Ar hev it noo, boys,’ quoth he, suddenly looking towards the Bench, ‘I humbly beg your worship’s pardon, but this terrible business has put things out of my head like. I see how it’s all come about. There was a chap aboard the *Red Jacket*, about a year older than Mr. Trevanion then, as like him as two peas. Danged if I doan’t believe it’s he as have been riding about with Ned Lawless here, and all the while he’s been taken for

Master Lance. The name of the man he meant was Lawrence Trevenna; came from North Devon, he did, though he had a Cornish name. Had never set eyes on him since the day they landed in Melbourne. Never liked him; thought it was a case of good riddance of bad rubbish.

‘Was a friend of Mr. Trevanion’s; he wouldn’t call him prisoner—not for no man; any way he wasn’t committed for trial yet; always would be a friend—in gaol or out of it; but would not swear to a lie for him or any other man—not if it was his own brother.’

Gwennyth Polwarth was then called, and up came the poor woman—sore abashed and troubled—with Tottie clinging to her, and refusing to be separated from her mother.

‘Yes, she and her husband had come out with Mr. Lance. When in the *Red Jacket* had made it up to be mates. Mr. Trevanion, though he was a grand gentleman at home, worked as hard in the claim as any man on

the field; would never believe that he had aught to do with a stolen horse. It was that Ned Lawless there, and his bold gipsy of a sister. I say it to their faces, as I have often warned him against, that's got him into this trouble.'

'Could he have been at Balooka on Thursday, or Wednesday, 18th, as was sworn by one witness?'

'Not unless he was a spirit. He came round to the claim, and said "good-bye" to me and the child on *Thursday evening*; would swear that to her dying day.

'As to his being at Balooka, or any place a hundred miles off, it was a thing impossible. There were people in the court as wanted to swear away his life, any one could see. But there's Cousin Jacks enough at Growlers' to smash the gaol and the court-house too, if these things are to be carried on, and it would be seen yet (the witness said in her excitement) what would come of it.'

'Sergeant Dayrell would ask the witness

no questions. The Bench would perceive the animus which coloured all the evidence.'

Mrs. Delf was next called. 'Her name was Mary Anne Delf; she had no call to be ashamed of it, and was the wife of the landlord of the "Diggers' Rest." Know that gentleman?' pointing to Lance. 'Well, he always stayed at her house. Dined there with Mr. Stirling, Mr. Ross (of Bundalong Station), and Mr. Polwarth, on Thursday, the 19th of September last. Remembered the day particular, because there had been a wash-up at "Number Six" the day before, and they had sold the gold to the bank, and had it weighed and settled up for.

'Was she a friend of Mr. Trevanion's? Yes; and she was proud to say so. It was a pity all his friends weren't as straight, though she said it herself. But he was as innocent of all this duffing racket as Tottie Polwarth there.'

Here poor Tottie, hearing her name, turned her eyes away from the dock, where they had

been resting sadly for a long time, and said audibly—

‘Isn’t Lance coming, mammy?’

This pathetic appeal, joined to a solitary glance from the prisoner, proved too much for Mrs. Polwarth’s self-possession, and, seizing Tottie by the hand, she hurried from the court. Upon which Mrs. Delf, though unused to the melting mood, had recourse to her handkerchief, and sobbed aloud, as did various like-minded female sympathisers.

‘Have you any other witnesses to call for the defence?’ said the police magistrate, addressing Mr. England, as who should say, the case has lasted long enough.

‘But one, your worship, but one. Call Esther Lawless.’

Again the densely packed assemblage was visibly moved. Here was another of those Lawless girls; and what evidence was she going to give? Surely an *alibi* had been fully proved in Trevanion’s favour already. What could shatter the evidence of Mr.

Stirling and Polwarth, Mrs. Delf and Mrs. Polwarth? However, here she comes.

Tessie Lawless had not been so prominently before the public of Growlers' as her cousin Kate, but, none the less, from the extreme rarity of young and good-looking women at the earlier diggings, had she been an object of curiosity and admiration. Hence she was well known by sight and reputation, and her appearance in court was consequently of the nature of a romantic incident.

'Your name is Esther Lawless, and you were residing with your cousins, at Growlers', recently,' began Mr. England, with the suave deferential manner by which counsel are won't to placate the feminine witness, 'where you knew the prisoner, Lance Trevanion?'

'Yes, certainly, I know Mr. Trevanion. He was often at our camp.'

'He was on friendly terms with all of you?'

'Yes; too much so for his own good.'

'Why do you say that, Miss Lawless?'

‘Because my cousin Edward was not honest in his dealings, and I thought Mr. Trevanion might be drawn in, unwarily, as he has been, I am sorry to say.’

‘Can you say anything as to the purchase of the bay H. J. horse, stated to have been stolen from Mr. Herbert Jeffreys?’

‘Yes; I wrote out the receipt which Edward gave Mr. Trevanion when he bought the horse for fifty pounds from him. He was then described as purchased from Henry Jones, of Black Dog Creek.’

‘How did you come to write the receipt in your cousin’s presence?’

Here the witness paused for an instant, as if hesitating what to answer. Then she said, ‘I was always in the habit of doing any writing that was necessary.’

‘But why? for what reason?’ persisted Mr. England.

‘*Because none of my cousins can read or write.*’

As this announcement was made, evidently

with reluctance, by the girl, over whose ordinarily colourless countenance a flush rose as she spoke, all eyes were turned towards Kate Lawless, who was sitting upon a bench reserved for witnesses, and afterwards in the direction of Ned. The latter celebrity smiled faintly, as if the higher education thus implied was comparatively unimportant. But on his sister the effect of the disclosure was widely different.

She turned her face quickly, and, as she did so, her eyes sparkled and her set lips expressed—if not anger, malice, and all uncharitableness—at least a far from benevolent intention towards the speaker. Making as if to rise, but repressing herself with a strong effort, she assumed a scornful attitude, as if prepared to listen with resignation.

‘Do you remember any conversation with reference to the horse?’

‘Yes; Mr. Trevanion asked where Henry Jones lived, and whether he had any more horses of the same breed. Ned answered that he lived at Monaro, and that he would have

some more to sell when he bought his next draught from him.'

'You believe, then, that Trevanion had no idea that the horse was stolen?'

'No more than you had. He said over and over again that he must get another or two from Jones.'

'Now, Miss Lawless, you need not answer this question unless you like. *Did you know* that the horse was stolen?'

'No, I did not, or I would have warned Mr. Trevanion. I may have doubted whether everything was quite square about him; but I never thought for a moment that he was stolen.'

'May I ask you, also, what reason you were likely to have for warning Mr. Trevanion?'

'Merely that I had a friendly feeling for him, and did not wish to see him taken in.'

'A very good reason, too. Now there has been evidence to the effect that Mr. Trevanion admired your cousin Kate; that he paid her a good deal of attention?'

‘Yes ; no doubt he did.’

‘You must excuse my asking you, but it is necessary to come to a correct understanding : was there any rivalry or jealous feeling between you ?’

‘Not the slightest. He was polite—he couldn’t be otherwise ; but he never cared two straws about me, or any one but Kate, though I was his real friend ; but he never knew it.’

‘Was there not a letter from Kate Lawless sent by your hand to him, after she had left for Balooka ?’

‘Yes ; but she had to get some one to write it for her. I had a great mind not to deliver it. I wish now that I never had, and all this might have been saved.’

‘That will do, Miss Esther. Stay—one more question. You had never, of course, seen Mr. Trevanion in company with your cousins before you came to Ballarat ?’

It occasionally happens that an advocate, in putting a question which he believes to be perfectly innocuous, makes some fatal mistake

which damages the whole of his previous evidence. The witness changed colour, and hesitated, then appeared to wish to avoid answering the question.

Mr. England divined the situation. 'It's of no consequence. The witness is not strong. You can go down, Miss Lawless.'

But it was too late. Dayrell was not the man to overlook a false move. 'I request that the witness's answer may be taken.'

'As the question has been asked, Mr. England, I think it should be answered,' said the magistrate. 'I will put it myself from the Bench.'

'Have you at any time, witness, seen the prisoner Trevanion in company with your cousins, before the family came to Ballarat?'

Esther Lawless stood erect as she fixed her eye with a troubled gaze upon Mr. M'Alpine's countenance.

'Must I answer this question, your worship?' said she; 'is it necessary in the case?'

‘I think you had better,’ said he, not unkindly. ‘I am sure you will tell the truth.’

‘I would not swear falsely to save my own life,’ said the girl, in a low but distinct voice. ‘I can only speak the truth while I stand here. I *did* see him riding with Ned one day before we left the Eumeralla.’

At this admission, which apparently astonished the greater number of the spectators as much as it did Mr. England and the magistrate, both prisoners turned their faces towards the witness with undisguised surprise. On the countenance of Lance Trevanion there suddenly arose a look of complete bewilderment. Abandoning his pose of scornful indifference, he beckoned hastily to Mr. England, who came over to the dock. After a whispered colloquy, he again addressed the witness.

‘I do not wish in any way to lead you, or to induce you to alter any part of your evidence which you feel certain of, but I entreat you, as you value the liberty, perhaps the life of an innocent man, to reconsider your

last answer. I will repeat my question. Are you prepared, upon your oath, to state that you ever saw the accused, Mr. Trevanion, in company with your cousin before you left New South Wales to come to Ballarat ?'

The witness looked upward for a moment and clasped her hands. She shuddered, and essayed in vain to reply, but finally with recovered firmness of mien said, ' I wish it were not so, but I cannot be mistaken. I saw him once certainly, and I believe once again, but I did see him once, if I can believe my eyes, near Eumeralla.'

A keen observer who had watched Kate Lawless's countenance might have marvelled at the mysterious smile which stole over her features at that moment, might have noted also a look of conscious triumph mingled with sudden wonder. For an instant, as she glanced towards the dock, her eyes sought out those of her brother ; they met hers with one swiftest glance of sudden meaning.

On Lance Trevanion's countenance a

despair sombre and terrible commenced to settle. His attitude expressed utter hopelessness, the deepest disappointment. When Esther Lawless, after a sudden burst of tears, was permitted to leave the court, he did not raise his head. Mr. England made one of the brilliantly exhaustive speeches which had opened the prison gates to so many enterprising or unlucky personages. The court was charmed, captivated, convinced, by the overpowering rush and flow of his persuasive eloquence.

But Lance neither stirred nor looked up. The presentiment was about to be fulfilled. He was prepared for the worst.

The case was closed. Then Mr. M'Alpine gave his decision—

‘He had heard that day some of the most extraordinary and contradictory evidence that in his varied experience he had ever listened to. In view of the prisoner’s high character and independent position, attested by so many witnesses, he had been on the point of dis-

charging him, but, after hearing the witness's last answer, which amounted to an admission that the prisoner had been an associate of the Lawless family, even before they had migrated to Ballarat, he could not entertain a doubt as to a committal. It was incontestably a case for a jury. It was for them to decide as to the credibility of opposing witnesses.'

Then came the concluding formula, after which the prisoner was asked if he desired to say anything.

'Only this,' said the erstwhile proud scion of an ancient race, stainless in honour, flawless in blood, of whom he alone—oh, hard and bitter fate!—had ever linked hands with disgrace! 'Only this: that I am as innocent of all thoughts of wrong or dishonesty to any man as my mate's little child. I never knew or thought that the horse was other than honestly come by. I have been deceived—by man and woman both. But the knowledge has come too late. The witness Catharine Lawless has lied foully. The other witnesses,

particularly Esther Lawless—who is good and truthful—have been deceived by the resemblance borne to me by another person. I never was at Balooka before, and never in my life saw the Eumeralla district—never heard the name even! I protest my innocence of this and all other charges. I can say no more.'

Mr. M'Alpine paused in thought for a while—an unusual course with him—then, amid the almost unnatural silence of the court, he said: 'I feel compelled to send the case for trial. Launcelot Trevanion, you stand committed to take your trial at the next ensuing Quarter Sessions, to be holden at Ballarat, on a day to be named. Bail refused. Sergeant Dayrell, call up the witnesses to be bound over to appear.

'This court stands adjourned.'

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